

Law Enforcement News

Vol. XXV, No. 506

A publication of John Jay College of Criminal Justice/CUNY

February 28, 1999

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Do Atlanta's numbers add up?

Audit finds hundreds of cases misclassified, but officials still hail report

Atlanta Police Chief Beverly Harvard has cited the findings of a recent Federal-state audit as proof that her agency's crime-reporting practices were in compliance with FBI guidelines during 1996, yet the audit, which found that hundreds of unsolved cases were misclassified that year, appears instead to suggest that vindication is in the eye of the beholder.

Details from the review, which was released on Jan. 8, reveal that auditors found a statistically significant percentage of the rapes, robberies and auto thefts reported in 1996 to have been improperly classified as "unfounded," a technical term used by the FBI to describe baseless allegations. Nonetheless, Harvard has declared the findings a victory for the Atlanta Police Department.

"The report clearly vindicates the Police Department and the city in the face of these clearly irresponsible allegations," Harvard told *The Atlanta Journal-Constitution*. "All along we knew there were some problems, but the allegations were that there was a 'gross' underreporting of crime. And the audit clearly disputes that."

The audit, which was conducted by a 13-member team from the Georgia Crime Information Center, was initiated after months of public hearings and a high-ranking police official's allegations of statistical manipulation by Chief Harvard and two of her deputy chiefs. The review examined unfounded cases in four crime categories — murder, rape, robbery and auto theft. While absolving the department of wrongdoing, the audit discovered that a total of 652 rapes, robberies and auto thefts provided to the FBI's Uniform Crime Reporting section in 1996 had been declared unfounded without meeting guidelines for such a classification.

The audit was not a criminal investigation.

Although the review looked at just 20 percent of all crimes reported during the years 1995-1997, auditors felt it would provide a statistical sampling sufficient to determine whether the APD was in compliance. Comparing 1996 figures with those from the prior and following year, the audit found an error rate of 25.6 percent in 1996,

An audit of Atlanta PD's crime-reporting practices is a "half-full glass," notes one observer, who says both sides are right in claiming vindication.

more than double the 12.6-percent error rate for the previous year in all four categories.

"The FBI review of unfounded reports for robbery, forcible rape and motor-vehicle theft established during the target period disclosed that the department is not in full compliance with the procedures and guidelines established for unfounding crime reports" as required by the UCR Handbook, the audit concluded.

The department, was found to be in compliance with the reporting of homicides and larceny-thefts.

In 1996, the APD was said to have misclassified as unfounded a total 498 robberies — more than one per day, and an increase of 858 percent over the 58 that were misclassified in 1995. Robberies, in fact, rose by 1 percent over the previous year, rather than declining by 9 percent, as the department reported to the FBI.

Fifty-six rapes in 1996 were deemed by the auditors to have been improperly entered the

same way. The city asserted that rapes declined by 11 percent from 1995, when in fact they rose by 2 percent.

An Inexact Science

But documenting crime statistics, as one criminal justice expert observed, is not an exact science, no matter how much the public and the law enforcement profession might wish it to be so. While the audit found that one in 10 robberies were misclassified in 1996, that still leaves the other 90 percent properly documented.

"Both sides are right," said Jack Greene, a professor of criminal justice at Temple University's Center for Public Policy in Philadelphia. "People take vindication to be whatever they want it to be. What she [Harvard] is saying is, 'Don't forget that 90 percent of this stuff was coded right.' If someone made that allegation that things were so screwed up as to not believe any of it, she has some legitimacy to say, 'Okay, we have a 10-percent error problem which we have to fix, but 90 percent appears to be right.' It's the half-full glass."

In an interview with *Law Enforcement News*, however, Greene did take issue with the seemingly passive stance the department took to investigating the unfounded crimes. Police have an obligation, he said, to follow up on all leads.

The FBI concluded that 286 of the robberies, rapes and auto thefts "should not have been unfounded" because there was no indication of follow-up by assigned investigators. There were instances in which addresses and telephone numbers were available on the initial incident report, according to the audit, but no documentation showing further investigation on the initial report.

According to a 1997 letter by Beinnic F.

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Part-time training issue becomes a full-time headache in Mississippi

Generally speaking, you'll find no disagreement between Mississippi's police chiefs and its sheriffs over the notion that part-time and reserve officers and deputies need all the training they can get. Beyond that, though, a rift has begun to emerge between municipal and county law enforcement officials over pending legislation that would repeal a nine-month-old law requiring

part-timers to receive the same level of instruction as their full-time colleagues.

The dispute centers on a bill recently passed by the House Judiciary Committee that would overturn an amendment made last July to the Mississippi Code of 1972, which calls for all law enforcement officers, including part-timers and reserves, to undergo a certification program that provides "essentially the

same standards and content" as the program for full-time officers.

Under recommendations developed by a panel of the state's Board of Standards and Training last year to implement the law, part-time officers would have to complete at least 200 hours of the state's minimum of 400 hours of training.

It's the sheriffs who are bristling at

the training proposal, insisting that it is both unfair and unfeasible for volunteer officers to take time off from work and family responsibilities to attend classes. Many departments in Mississippi depend heavily on volunteer and reserve officers, said Lowndes County Sheriff Ed Prescott, the president of the Mississippi Sheriffs' Association.

"These people are regular citizens who have full-time jobs and this is their Lions Club or community service," Prescott told *Law Enforcement News*. "I don't think we can expect them to take off from their real jobs and go to 10 weeks of school just to work as a law enforcement officer voluntarily part-time."

All sheriffs, Prescott said, understand that the buck stops with them in terms of liability when a part-time officer is sent out on a job. He said his own department conducts part-time deputy training in house, providing 10 weeks of instruction similar to what would be taught at a training academy. Volunteers are then assigned to a full-

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Md. trooper wins suit over family leave, but is still waiting to get his job back

The Federal Family Medical Leave Act stipulates that employers must grant time off impartially to both male and female employees. That legislative intent was apparently lost on the Maryland State Police, however, as a Baltimore jury on Feb. 2 awarded \$375,000 in damages to a male paramedic, in what is said to be the first sex-discrimination case under the act to favor a man.

Kevin Knussman, a 22-year veteran of the State Police, sued the agency in

1995, claiming he had been illegally denied 12 weeks of leave to care for his newborn daughter and his wife, who was recovering from childbirth complications. During the four years of litigation, Knussman alleges that the State Police retaliated against him in numerous ways, the latest salvo being a psychiatric evaluation Knussman said he was ordered to undergo before being allowed to return to work.

The Family Medical Leave Act,

passed in 1993, is intended to give employees up to three months unpaid leave to care for family members in cases of illness or the birth of a child. After deliberating for two and half hours, the nine-member federal jury agreed with Knussman's claim that he had been deprived of his 14th Amendment right to equal protections and awarded the damages.

Knussman had originally filed for leave not under FMLA, but under a

state law that has since been repealed, said Betty Stemley Sconion, an assistant attorney general and principal counsel for the State Police. That law allowed employees to use up to 30 days of sick leave as primary caregiver of a new child and up to 10 days as a secondary caregiver. Knussman was the first person to file for leave under the law through the MSP, she said.

The jury ruled on two counts, the

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Around the Nation

Northeast



CONNECTICUT — The Norwalk Police Department received a new mobile police station on Jan. 29 as part of a U.S. Justice Department effort to reduce crime and revitalize neighborhoods. The mobile facility will house two full workstations, a conference room and a communications area. Norwalk is one of six sites nationwide that will receive the mobile units as part of the "Weed and Seed" program.

In an apparent suicide on Jan. 26, Bethel Patrolman B. Scott Santa-Maria, 30, was found shot to death near the grave of a friend. Santa-Maria was also a state representative — the only police officer in the Connecticut legislature.

At least one police officer is now working in each of 32 state school districts, according to law enforcement officials. During the 1996-97 school year, 6,000 incidents of violence were reported by the state's schools, and 419 students were caught with weapons. Police also investigated 870 cases of illegal drug possession.

A plan to do away with the state's county-based sheriff system was proposed Feb. 10 by Gov. John Rowland. The plan, which would eliminate the position of high sheriff from the state constitution, would have to be approved by voters.

DISTRICT OF COLUMBIA — Officer Thomas Hamlette, who was killed by a fellow officer while off duty, has been stripped of the police department's Gold Medal award for valor. Instead, he will receive the recently created Blue Shield award, according to Police Chief Charles Ramsey, who said Hamlette's death, while tragic, did not merit the higher honor.

MARYLAND — Baltimore homicide detectives will work more closely with district lieutenants and focus on specific city areas, officials said. The move comes as police attempt to cut the city's homicide rate, which has been over 300 a year during the past decade. In a related development, authorities say a 72-percent increase in criminal cases has clogged the city's court system, and recently forced the dismissal of murder charges against five suspects for

lack of a speedy trial.

Speaking recently to North Baltimore neighborhood leaders, Police Commissioner Thomas C. Frazier has invited the community to participate more in Police Department activities. Citing 19,000 drug-related arrests last year, he urged more neighborhood involvement. The meeting with community leaders was the first in a series planned for this year throughout the city's nine police districts.

A man who said he was pressured into confessing to the rape and murder of Linda Mae Pellicano was released Feb. 8 after spending seven years in prison. Anthony Gray, 31, who was convicted in 1991, was freed after DNA evidence cleared him.

MASSACHUSETTS — After a Jan. 15 shooting between rival gang members at a Boston shopping mall, city leaders have called upon police to take action against rising gang violence. In the incident, Christopher Martin, 15, sustained a bullet wound to the neck. Both Martin and his alleged attacker, age 13, face assault charges. Police officials told a City Council hearing that the number of known gang members in Boston is down to 1,200 to 1,400, with about 30 gangs fighting for street supremacy.

NEW JERSEY — After pleading guilty to federal racketeering and extortion charges last March, Alexander V. Oriente has been stripped of his \$80,000 annual pension, officials said. Oriente, who has had 40 years in law enforcement, headed the West New York Police Department during a widespread corruption scandal involving illegal liquor and prostitution operations.

A square-mile area in North Camden will be the focus of "Operation Sunburst," an effort by local, state and federal law enforcement officials to cut down drug dealing and stabilize the neighborhood. The plan, which is modeled after a similar program in the Kensington section of Philadelphia, will target open-air drug markets and other crime proliferating around vacant houses.

A 28-year-old man died Jan. 25 of sickle-cell crisis after wrestling with police the day before — circumstances strikingly similar to the way his older brother died in 1984. Cleathea Miles, like his brother, Sidney, died after a worsening of sickle-cell anemia follow-

ing encounters with law enforcement officials. Burlington County Prosecutor James Gerrow Jr. said no police wrongdoing was found in either of the cases.

State law enforcement agencies reported 728 bias-related crimes in 1997, down 22 percent compared to 1996. Harassment accounted for one-third of bias-related incidents, while criminal mischief and damage to property was involved in 42 percent. Racial bias was a factor in just over half of the reported incidents.

NEW YORK — An FBI special agent in charge of the New York office's criminal division, Victor Gonzalez, 48, was arrested in New Jersey Feb. 15 and charged with suspicion of drunken driving and resisting arrest.

Two New York City officers were cleared Jan. 29 of rape and sodomy charges involving a 17-year-old Brooklyn woman. The Police Department's chief administrative judge found officers Marcus Williams and Christopher Condon not guilty of charges that Williams forced the woman to perform oral sex in the back seat of a patrol car, while Condon refrained from stopping the incident. The woman, who admitted to having a consensual sexual relationship with Condon, has filed a multimillion-dollar lawsuit against the city.

On Jan. 21, New York City officials rejected an appeal by MCI Systemhouse after the company was omitted from a \$10.3-million contract for upgrades to the city's 911 system. The company had been updating the system since 1994, but police officials terminated the contract after citing years of costly delays. In a related development, following a one-hour failure of New York City's 911 system on Jan. 31, the city said it will implement a long-delayed plan to install a new backup system. The malfunction was blamed for the death of a man who died of a heart attack after his companion was unable to reach a 911 operator. The computer failure occurred when workers tested backup generators at the city's 911 center in Brooklyn. An existing backup system that should have switched on instantaneously took over an hour to respond.

William Morales, a 33-year-old New York City police officer, was indicted Feb. 4 on first- and second-degree assault and other charges related to a shooting last November of an unarmed civilian.

The New York City Police Department's Year 2000 computer compliance project generated more than \$1 million in overtime last year for a group of police sergeants and lieutenants, according to a published report. Many of the 12 to 16 officers involved were said to have no computer programming skills. An audit released last October by the city Comptroller said that the \$13.6-million project was still behind schedule.

Following the death of Sgt. James Low, 50, during a struggle with an emotionally disturbed patient at Woodhull Medical and Mental Health Center in Brooklyn, the head of the union for police officers in public hospitals has called for more training for its members. Union president Carl Haynes also

called for legislation that would authorize hospital officers to carry guns. Only a few officers in hospitals are now authorized to carry weapons. Low died of an apparent heart attack Feb. 1 after being struck in the chest by the 36-year-old patient.

A Manhattan jury this month awarded \$1.5 million to former New York City police officer Mark Brocato, 39, for a Sept. 19, 1992 incident in which he was shot six times by fellow police officers while he was working undercover. The shooting occurred in a darkened tenement hallway, where officers could not see that Brocato was wearing the undercover "color of the day."

Two safety officers with the New York City public school system were arrested in early February on drug charges, authorities said. Following separate sting operations, Carlos Aviles and Gil Gomez were arrested for purchase of heroin and possession of cocaine, respectively. Supervision of the school safety officers was shifted late last year from the Board of Education to the city Police Department.

New York State Chief Judge Judith S. Kaye proposed legislation on Feb. 8 that would reduce sentences for some defendants convicted of selling or possessing narcotics. The changes to the so-called Rockefeller drug laws, which carry some of the stiffest penalties in the nation, would allow appellate courts to reduce the 15-year minimum sentence to no less than five years, depending on the nature and circumstances of the offense. Those accused of selling or possessing very small amounts of narcotics would be eligible for drug treatment instead of prison terms.

A New York City police academy cadet, Robert Dzubak, 26, was arraigned on Feb. 9 for driving while intoxicated. Authorities said the cadet, who was one week away from his academy graduation, collided head-on with another vehicle while driving on the wrong side of a highway off-ramp. The driver of the other car, a Manhattan undercover narcotics investigator, suffered serious head injuries.

Yonkers students aboard a school bus escaped serious injury when the bus was struck by an unmarked police car and the vehicle that police were chasing. A police sergeant was hurt in the Feb. 10 crash.

PENNSYLVANIA — Jessica Holtmeyer, 16, was convicted Jan. 28 in the hanging death of a learning-disabled girl. Holtmeyer and others in a group of Clearfield young people killed Kimberly Jo Dotts, 15, then crushed her face with a basketball-sized rock, because they feared she would disclose their plans to run away to Florida. At the request of the victim's family, prosecutors did not seek the death penalty.

Southeast



FLORIDA — Several times a week for the past several months, Miami police have been conducting prostitution stings using undercover officers several

times a week, according to police Sgt. Juan Casciano, a frequent participant in the sweeps. The stings recently generated national attention when police netted Atlanta Falcons football star Eugene Robinson, who was one of 25 men arrested on solicitation charges on Jan. 30, the day before Robinson was to play in the Super Bowl.

Ex-Hialeah police officer Divaldo Guillermo Heredia, 40, was arrested Feb. 1 on charges that he participated in a drug-trafficking operation. Heredia allegedly used his police cruiser to transport cocaine, and acted as a lookout for members of the trafficking ring. Four others were arrested on related charges, and two arrests were pending in the case, according to the Miami-Dade state attorney's office. Heredia was fired from the department in 1994 after he allegedly left city limits while on duty.

GEORGIA — Candidates for sheriff would be required to complete a 10-week training course before they qualify to run for office, under the provisions of a bill introduced by state Representative Mike Snow. The training would include constitutional law, search and seizure, driving skills and weapons use. Under current law, candidates for sheriff must be U.S. citizens at least 25 years of age, have a high school diploma or G.E.D., no felony convictions and be a county resident for at least two years.

MISSISSIPPI — In response to an increase in jailbreaks and injuries to jailers, the House last month passed a bill that would mandate training for county detention center jailers. Under current state law, jailers are the only law enforcement personnel not required to have training.

After a review of bids for installation of laptop computers in police cruisers, Vicksburg law enforcement officials said they fear the plan may have to be scaled back.

Gulfport police will apply for a Federal grant to install surveillance cameras in key crime districts, according to officials. The plan is expected to meet resistance from civil liberties groups.

NORTH CAROLINA — In response to proposed legislation intended to determine whether state troopers target minority drivers, the state Department of Crime Control and Public Safety will conduct a study of Highway Patrol. As part of the study, which will be coordinated by a sociologist from North Carolina State University, troopers with notebook computers in their patrol cruisers will take note of the race and sex of every driver they stop.

TENNESSEE — George Jett IV, age 23, a Maury County Sheriff's Department officer assigned to patrol Whitthorne Middle School, was arrested in late January on charges that he raped two 14-year-old boys.

Three Memphis police officers have been suspended in connection with the arrest of a suspected drug dealer. Officers Cory Hale and J.R. Howell each received 40-day suspensions for fighting and failing to report the fight, while R.D. Gary received a 30-day suspension for carrying out an illegal search. The fight reportedly occurred between

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Hale and Howell when one accused the other of failing to provide backup when the suspect resisted arrest.

VIRGINIA — The state House last month rejected a measure aimed at strengthening enforcement of seat-belt laws. The bill would have allowed law enforcement officers to stop and ticket a driver for seat-belt violations alone. Opponents said the bill was too intrusive and could be used to harass black drivers.

Midwest

ILLINOIS — The 1985 murder conviction of Steven Smith, 50, was overturned Feb. 19 by the state Supreme Court on the grounds that a key prosecution witness was unreliable. Smith, who was expected to be released on bail, was set to become the second death-row inmate in Illinois to be freed in a month, and the 11th in the past 12 years.

The Illinois Appellate Court ruled in late January that if a police officer causes a crash with a civilian's car, the officer may be sued for negligence. A previous state law had indicated that officers would be immune from such actions. The decision stemmed from a suit brought by a DuPage County resident who was struck by a police cruiser four years ago. Law enforcement officials worried that the case would open municipalities to an increasing number of lawsuits.

Despite their pleas that adverse publicity could prevent them from getting a fair trial, seven current and former law enforcement officials will stand trial in DuPage County for conspiring to convict a man for the 1983 murder of a 10-year-old girl.

At least 10 death-row inmates in Illinois have alleged that former Chicago police Lieut. Jon Burge tortured confessions from them. Burge was fired in 1993, after torturing a suspect who was subsequently convicted in the deaths of two police officers.

INDIANA — Domestic violence deaths in Marion County more than doubled in 1998 to 13, from six in 1997. Officials say a special domestic violence unit is being created by police, and officers will get additional training.

Jay Scott Ballinger, 36, was arrested Feb. 23 after he told authorities he may have burned up to 50 churches during the past five years. He was charged in Indianapolis with seven counts of arson in a series of fires from 1994 to 1998. Ballinger was linked with the fires after a Muncie detective overheard a radio request for medical attention to a burn victim at Ballinger's home. Authorities learned that Ballinger had been badly burned just after a church arson in Brookville, Ohio. A search of the house later turned up satanic materials, said to be the source of rituals performed by the arsonists during the fires. Two other suspects were charged in one of the fires.

KENTUCKY — The 5-year-old son of Louisville police Det. Claude

Spillman shot himself in the leg Jan. 27 with his father's .40-cal. Glock semi-automatic handgun. The child, who found the gun under a bed, was recovering in good condition. Police in Shively, where the incident occurred, are investigating, and Louisville police officials will determine whether disciplinary action is warranted. In the wake of four other incidents involving the Glock, critics claim that the gun's short trigger pull makes it too easy to fire.

MICHIGAN — Detroit Police Officer Richard Scalf, 26, was fatally shot after he and his partner had stopped two men suspected of soliciting sex from an undercover officer. The fatal bullet entered through a gap in Scalf's bullet-proof vest. His partner, Officer Diaz Graves, 30, was shot three times, but was expected to live. One suspect was killed, and the other is in custody, officials said.

OHIO — Even though prisoners have had to pay for their stays in jail since 1989, the City of Findlay has not made a significant dent in reducing jail costs. The Findlay Courier reported last month that it cost the city \$436,149 to house inmates in 1998, but the city collected only \$16,000 from them.

Plains States

IOWA — House Republicans introduced a drug bill Feb. 10 that calls for sentences of up to 99 years in prison for drug dealers who sell methamphetamine to minors. The sentence could be reduced if they testify about other drug dealers.

Video footage of a vehicle chase that was captured by a Council Bluffs police cruiser was made available to local television stations for a fee of \$20, according to police officials. In the Feb. 4 chase, police followed a van that went out of control and overturned. The driver, Lance D. Ayers, 28, escaped serious injury and faces a variety of charges stemming from the chase.

MINNESOTA — Minneapolis city officials have offered \$300,000 each to the families of two men killed in a collision with a police squad car. The crash last Nov. 27 occurred as Officer Douglas Leiter was following what he believed was a burglary suspect's car. A police report confirmed that Leiter ran a stop sign without his flashing lights or siren on, and was traveling over the speed limit. The two victims, Steven Winkel, 27, and Jeffrey Carlson, 23, died after being thrown from their pickup truck. One family said it would accept the offer, and the other said it would accept if it could perform its own investigation of the accident.

Butler Tail County Sheriff Gary Nelson has proposed a bill, which the House is expected to consider, that would generate more revenue for rural police departments by allowing them to sell the guns they confiscate.

MISSOURI — A House committee is considering a bill that would require juvenile sex offenders to be registered in the county where they live. Offenders' files would contain fingerprints, a

photo and personal information.

Workers at a Planned Parenthood clinic in Kansas City received a letter on Feb. 22 containing a powdery substance that the sender said was anthrax, according to law enforcement officials. The clinic workers were not injured. A similar threat was made on the same day to a clinic in Newark, Del.

A break-in last month at a Springfield police training facility resulted in the theft of a shotgun, a submachine gun, and several pistols. Some of the weapons had been left for repair, police said.

MONTANA — A final Senate vote was expected late last month on a bill that would restore a daytime speed limit to Montana's highways. The law would post a 75-mph speed limit on Interstate highways, except in areas near Billings, Great Falls and Missoula, which would have a 65-mph limit. Montana has not had a daytime speed limit since 1995, when the Federal speed law was repealed. The Senate had approved House changes to the legislation, and Gov. Marc Racicot said he would sign the bill, which would take effect on May 28.

NEBRASKA — A state trooper's K-9 dog detected a 269-pound load of marijuana in the trunk of a vehicle during a traffic stop. The Feb. 4 seizure occurred after a trooper pulled a vehicle over for tailgating a truck on Interstate 80. The driver, Kathleen Joanne Drozd, 27, of Spanaway, Wash., was arrested. Drozd said she was en route from San Diego to Cleveland, but officials said she declined to identify the intended recipient of the cargo.

Responding to criticism about the costs of a prostitution sting, Omaha officials said a Lear jet and a limousine used by police in an undercover operation were lent by local businesses. The Jan. 13 arrest of an Omaha woman who advertised an escort service on the Internet involved a jet that was used as a prop for an undercover officer, and a limousine loaded with champagne. Nancy J. Prout, 46, was ticketed for soliciting prostitution and for prostitution. The head of the Nebraska Taxpayers Association had complained that police spent too much on the operation.

A therapeutic wilderness camp for mild to moderate first-time offenders will open this summer. Some 50 young criminals will live in tents and cook their own meals in the state-financed program.

SOUTH DAKOTA — Government officials said they could reduce drug use by introducing mandatory 30-day jail sentences for drug offenders. Critics argue that such a measure would place an excessive strain on the court system.

Southwest

ARIZONA — Darrick Gerlaugh, an American Indian on death row, was allowed to perform a traditional sweat lodge purification ritual prior to his execution by lethal injection on Feb. 3.

After several current and former inspectors for the Immigration and Naturalization Service in Nogales were indicted for accepting bribes from cocaine dealers, the FBI said it would scale up its scrutiny of Arizona's six entry points.

COLORADO — Two pet guinea pigs at the Columbine Elementary School in Boulder recently became unintended appetizers for a police dog in search of burglary suspects at the school, police said. The German shepherd, an explosive-sniffing specialist with the Boulder County Sheriff's Department, had been called in Jan. 22 after an alarm at the school was reported. After the guinea-pig diversion, the dog went on to find six juveniles hiding several blocks from the school. The suspects were arrested and charged with trespassing. Police and teachers comforted the kindergartners and first graders who lost their pets.

NEW MEXICO — Private and public prisons have similar levels of violence, according to law enforcement officials. A report said that between Sept. 1 and Jan. 26, 117 assaults occurred in private and public prisons.

OKLAHOMA — Frank Gayer, the former police chief of Shamrock, was found guilty of second-degree rape on Feb. 2 and sentenced to four years in prison. Gayer, 30, was charged with having sex with a 15-year-old girl who was baby-sitting at his home last May.

A Tulsa-based auto-theft ring in which vehicles were stolen from dealerships and sold through newspaper ads was cracked on Feb. 1, when police arrested Derck William Bradley, 24, and charged him with two counts of fraud and possession of a stolen vehicle. An undercover detective posed as a buyer for one of the stolen vehicles. Police were seeking at least one more suspect in the case.

TEXAS — John William King, the 24-year-old who chained a black man behind a pickup truck and dragged him to his death through the streets of Jasper last June, was convicted Feb. 23 of first-degree murder and sentenced to die by lethal injection. Prosecutors said the killing was one of many slated by a group known as the Confederate Knights of America, which King had joined during a prison term for burglary. Two other men are awaiting trial in the case.

Kingsville and Port Aransas swarmed with low-flying helicopters as part of a counterterrorism exercise in early February. Officials said the training exercise by the Army's Delta Force unit from Fort Bragg, N.C., was routine. However, a fire in Kingsville's old police station was sparked by a welding torch during the exercise. Several vacant downtown buildings were used by troops from the Army's Special Operations Command as part of the training.

The Dallas County Sheriff's Department has signed a \$1.5-million contract with Vision Software Inc. to install computer-aided dispatch, records management, and mobile data software. The software will support cruiser-based laptop computers, and will also enable county officials to share suspect, booking and arrest information.

UTAH — Police in American Fork said a 15-year-old boy confessed last month to sexually assaulting at least 17 other boys since the early 1990s. The victims were between the ages of 1 and 15.



ALASKA — Anchorage police were seeking 25 volunteers to ride in police cruisers as witnesses for cases involving motorists who run red lights. The special red-light patrols will be funded with Federal funds. Dozens of residents have reportedly expressed interest in the program.

CALIFORNIA — Elmer "Geronimo" Pratt will not be retried in the 1968 slaying of a teacher in Santa Monica. The former Black Panther was freed in 1997 after 27 years in jail, when a judge ruled that he had been denied a fair trial because a witness concealed the fact that he was a police informant. Pratt has maintained all along that he was attending Black Panther meetings in Oakland at the time, and that FBI agents and police concealed and possibly destroyed evidence that could prove it.

A special education teacher in San Diego, Alan David Reitman, 47, was arrested Feb. 2 on suspicion of bringing a loaded handgun on campus. A .380 caliber weapon was found after police searched Reitman's car.

A group of 162 illegal immigrants was found crammed into a squalid San Diego house last month. All of the immigrants were arrested and taken to the Chula Vista Border Patrol station.

The Los Angeles City Council has agreed to pay a record \$11-million legal settlement to a man who was hit by a police car in October 1997. Pedro Antonio Espinoza, 52, remains unable to speak from a brain injury incurred in the accident.

HAWAII — Several bills are under consideration by the state Legislature that would toughen sentences for repeat sexual offenders. One bill calls for life in prison without parole after a third felony sex-crime conviction.

OREGON — Like a good citizen, Portland Police Chief Charles Moose faithfully reported for jury duty last month, but was quickly dismissed from consideration in a drug case. A defense lawyer asked him to leave before jury selection started. Moose said he knew the defendant, the judge and police officers involved in the case.

A 15-year-old boy who allegedly pimped for a 12-year-old prostitute may be tried as an adult. Two men who bought sex from the girl have been charged with rape.

WASHINGTON — A University of Washington study of 233 juvenile cases found that probation officers portray black juvenile offenders differently than white offenders. The study claims that the differences lead to harsher sentencing for black youths. The three-county study examined cases involving 170 black youths and 63 white youths.

Time for a new dish

You know a good pasta when you eat it, says Louisville, Ky., Mayor **Dave Armstrong**, and you know a good relationship when you build it.

Those were the terms in which Armstrong announced in January that he would be replacing Police Chief **Doug Hamilton** with a top cop of his own choosing — one who will lead the Police Department in new directions.

Hamilton, a 27-year veteran of the force, has served as chief for more than eight years, during which time he has restructured the department by merging two districts and reducing the number of high-ranking administrators in favor of more patrol officers. Moreover, Hamilton won \$14 million in grants for the department to start programs targeting domestic violence, drug abuse and gangs, and launch a computer-aided anti-crime initiative.

Hamilton will end his tenure as crime in Louisville continues to fall, including a dramatic drop in the city's homicide rate in 1998 after a two-year stretch in which it reached levels unseen since the 1970s. But the Chief said he can understand why Armstrong would want his own person for the job. "When I call the Mayor, nine times out of 10, it's bad news," he told *The Louisville Courier-Journal*.

All in all, regard for Hamilton's leadership has been mixed. Chosen by then-Mayor **Jerry Abramson** in 1990, he took the reins from **Richard Dotson**, who stepped down amid a cloud of allegations of abusing two former wives and sexually harassing female employees. Dotson, who has vehemently denied the charges, has remained with the department, and is now a captain in charge of the intelligence unit.

While Hamilton has won the praise of some community groups, citizens and police for his performance, he has also come under fire over the years from the city's police union and from community activists. The department has about 18 percent black officers in a city that is about 30 percent black, and there are few African Americans in its upper ranks.

"The Police Department has been an eyesore when it comes to diversity and the inclusion of African Americans," said the Rev. **Louis Coleman**, one of Hamilton's harshest critics. One of Armstrong's goals, Coleman said, was to hire more minority officers — an aim that Hamilton contends has been frustrated by a lack of qualified candidates.

Hamilton has also been criticized by Coleman, as well as other civil rights activists, for not giving citizens a larger role in reviewing complaints of officer misconduct. He did, however, change the process, making it easier to lodge complaints and establishing an independent ombudsman to help guide citizens through the process.

Ironically, a reputation as a tough disciplinarian has gotten Hamilton into trouble with the Fraternal Order of Police. The FOP maintained that his discipline was unfair and prohibited officers from aggressively attacking crime. A survey released by the organization two years showed an overwhelming majority of officers had no confidence in his leadership.

The Chief has been asked to stay on until March 31 while a 12-member

search committee appointed by the Mayor reviews candidates within the department for the \$84,700-a-year job. Out of 18 who have already submitted résumés, the panel will make five recommendations from which Armstrong will choose a chief.

Armstrong has said that he will not look outside for a new police chief.

Those who have thrown their hat into the ring include: Maj. **Steve Conrad**, who heads the office of community policing; Capt. **Wayne Kessinger**, 3rd District Commander; Maj. **Stan Mullen**, commander of the community development unit; Maj. **Cindy Shuin**, deputy chief of operations; Capt. **Gene Sherard**, 4th District Commander, and Capt. **Bridget Skaggs**, 2nd District Commander.

Fatal stop

Over a decade-long career, **Villa Rica, Ga.** Police Capt. **Robbie Bishop** confiscated thousands of pounds of drugs and millions of dollars in cash from motorists traveling along Interstate 20, but on Jan. 20 his luck ran out when he was killed by a gunshot to the head during a traffic stop.

His alleged killer, 32-year-old **Jeffrey McGee** of Schenectady, N.Y., was captured by police in Toronto on Feb. 4 after a multistate search by members of the Georgia Bureau of Investigation, the FBI, and several local police agencies in both Georgia and New York.

Although he served on a small-town force, the 35-year-old Bishop had become something of a legend in the South, with a seemingly uncanny ability to sniff out drugs. One criminal defense lawyer in Atlanta, **Alan J. Baverman**, recalled a case in which Bishop grew suspicious of two vehicles traveling together. "He pulled them over and there were 50 kilos of cocaine in the truck," Baverman told *The New York Times*. "He elevated that traffic stop almost to an art form."

On the day he was shot, investigators believe Bishop was ticketing McGee when something in the car piqued his interest. McGee's car is now being searched for traces of drugs. Police found a copy of a warning ticket written to the suspect in Bishop's ticket book. After finding McGee's luggage in Los Angeles, investigators believed the suspect had fled to Mexico. But a tip from somebody who saw him profiled on "America's Most Wanted" led police to Canada.

McGee was seen going into a doughnut shop around 12:40 P.M. and was arrested by Toronto's Metro Fugitive Squad. "You could say it was a fluke but for an officer to recognize someone from a photo — it was a good piece of police work," said Toronto police Supt. **Ron Taverner**.

Bishop, who left behind a wife and two children, was thought by many to be the best law enforcement officer in the Southeast when it came to highway drug interdiction. He was familiar with the design of cars and knew where the hiding places were, said Sheriff **Roger D. Garrison** of Cherokee County, Ga., where Bishop worked during the early 1990s. The captain, he said, "could detect the smallest infraction in a story, the inconsistencies told between a driver and a passenger."

In interviews and on training films,

Crime scenes in a nutshell

Sometimes it pays to think small

Although they may look like traditional dollhouses complete with miniature newspapers and knitting done with straight pins, the 19 "nutshell studies of unexplained deaths" that have lived at the Baltimore Medical Examiner's office for the past 30 years have at least one feature that sets them apart from the ordinary — they're perfectly scaled models of the victims of grisly murders, accidents and suicides.

Named after a phrase used in forensic medicine that an investigation's purpose is to find the truth in a nutshell, the dollhouses are used by investigators across the country to teach detectives the techniques of reading a crime scene accurately. They were created in the 1940s by **Frances Glessner Lee**, a wealthy Chicago socialite with a fascination for police work, who was frustrated by many of the homicides that went unsolved during the 1930s.

Painting the flowery wallpaper, stuffing the furniture and even creating tiny newspapers with real headlines, Lee, who died in 1962 at the age of 83, built the nutshells herself, creating two a year. They are perfect replicas of actual crime scenes from that era. "In one of the scenes there's knitting that someone actually did with straight pins to indicate that there's knitting in a basket," said **Jerry Dzieciuchowicz**, the chief administrator for the Medical Examiner's office, in an interview with *National Public Radio*.

"There's a cigarette that somebody rolled and smoked, actually made cigarettes, lit them,

and then put them out in the ashtray to show that somebody had been there a long period of time smoking," he said. "Great detail."

In one, Lee actually built a whole log cabin, furnished it, then set it on fire so investigators could decide whether it was arson or an accident. She endowed Harvard University with \$500,000 to create the nation's first department of legal medicine and helped found the Harvard Associates in Police Science, an organization that continues to hold biannual

"No matter how hard you try to recreate it on a computer," says one lieutenant, nothing can ever replace that initial firsthand look at a crime scene.

seminars in the latest sleuthing techniques. The nutshells are still part of those seminars.

"Every crime scene tells you a story," said the president of HAPS, Lieut. **Edward Hopkins** of the Harford County Sheriff's Office. "No matter how hard you try to recreate it on a computer, nothing will ever replace and nothing can ever accurately recreate what you see when you first get to the scene of a crime."

In one nutshell, the scene is a log cabin. A man wearing a suit is lying face down on a bed, his cigarettes scattered in front of him. He has been

fatally shot in the chest. His girlfriend claims he dropped his cigarettes and when he bent to pick them up, a gun fell out of his coat and shot him. Is she lying?

Detectives looking at this scene always think the girlfriend murdered the victim, said **Dzieciuchowicz**. "Here's a married man, meeting with his girlfriend in the cabin. Notice the name, *The Hideaway*," he said. "They're saying: Uh huh, they're going to break it off, she gets upset, takes the gun and shoots him. I mean, that's what they would love this conclusion to be, rather than what actually happened."

In reality, it took police several days to discover that the girlfriend was telling the truth. The bullet is still lodged somewhere in the cabin, still glinting.

Hopkins said the nutshells have helped him solve at least one baffling murder. In that case, he arrived on the scene to see a woman dead from a gunshot wound and a tom-up investigator's report on the bed. Her husband had discovered she had been having an affair and bad confronted her with the proof in the report, he said.

"But what he did was, he took photocopies of the report, took elements out of it that said she wasn't having an affair, then condensed the report to make her believe that the private investigator told [him] she was having an affair," said Hopkins.

The husband's alibi was that his wife had become very distraught reading the report and had shot herself. "The difficulty is that it took us almost a year to put all of that together and figure it out," Hopkins said.

Bishop regularly emphasized the importance of safety. "Safety is a priority," he said in a training film broadcast on WSB-TV in Atlanta. "No load is worth your life."

No "ill" in Illinois

During just seven months as acting director of the Illinois State Police, **Gene Marlin** managed to promote 224 officers, earn a salary that was \$25,000 more than that of his predecessor and walk away with a substantial five-figure payout for unused sick days and vacation after a 35-year career with the agency.

The 57-year-old Marlin retired in January with a check in his pocket for \$56,574 that covers 84 days of unused sick time, 75 leftover vacation days, 13 accumulated holiday days and 1½ unused personal days. Before taxes, the amount came to \$80,365, said a State Police spokesman, **Mark McDonald**.

There were even more sick days that Marlin could not be paid for under a 1997 law that forbids state employees from being paid for unused sick time accumulated after Dec. 31 of that year. The law, however, allowed payment for

sick time saved up that date. Marlin donated the additional 220 days to a sick-leave bank to be used within the agency to cover time off for employees with catastrophic illness.

"The man never took a sick day in 35 years," said McDonald. "That's just amazing. You have to be very fortunate not to be ill. And, to me, you have to be very dedicated to never ask for a sick day when you're feeling bad."

Marlin was tapped by Gov. **Jim Edgar** to take over the ISP last May when Director **Terrence Gainer** left to join the Washington, D.C., police force as an executive deputy chief.

Marlin, who plans to join Gainer in Washington as a patrol commander, retired with a salary of \$120,888 — the result of a 5-percent raise he gave himself in November on top of a 5-percent increase Gainer gave him on Jan. 1, 1998. Had Marlin become permanent director, he would have had to take a pay cut. Under a salary set by state statute, the agency's new director, **Sam Nolen**, earns \$93,000.

According to an analysis of state records conducted by the Copley News Service, most of the ISP's top brass received at least two pay raises in 1998. The raises, which also boosted pensions, may have precipitated the retirements or planned retirements of six of its 17 top administrators, including

Marlin. The issue is something that the former acting director said could be debated for years.

But the raises, Marlin insisted, were not awarded to pad pensions. They were a result of a streamlined process he developed for granting pay raises to top administrators. Instead of the raises coming in the early part of the year, months after the completion of evaluations, they were awarded as soon as performance evaluations were completed in November. "This year, as we tried the last couple of years, we got just a little smarter at the process," he said. "Instead of waiting — or letting it wait, or letting it slide, or just not getting to it until January — we got to it right after the execution of the performance appraisals."

As for the 224 promotions, which records show included four captains, six majors, 19 lieutenants, 63 master sergeants and 132 sergeants, Marlin dismissed suggestions that they were intended to strengthen a network of agency insiders. The promotions, he told *The Associated Press*, were made in response to the loss of 100 individuals due to retirement.

By comparison, Gainer promoted 127 individuals during the same period in 1997. Those promotions came with the retirement of 56 sworn personnel.

NJSP 'profiling' uproar costs chief his job

After nearly a year of complaints by civil rights groups and black community leaders, the latest fallout from allegations that the New Jersey State Police engaged in illegal racial profiling has claimed the career of the agency's superintendent, Col. Carl A. Williams, who was fired Feb. 28, just days after he asserted that marijuana and cocaine traffickers are disproportionately members of minority groups.

Gov. Christine Todd Whitman, who dismissed the man she had appointed in 1994 after a decorated career, nonetheless defended the agency, reiterating her belief that there was no widespread racial profiling practiced by the State Police. The Governor said of Williams: "I don't think he's a racist, but I don't believe he saw how insensitive his comments were. That's part of the problem."

Minority Musings

The remarks were made during an interview with The Newark Star-Ledger, in which Williams ridiculed the notion that race should not be considered as a factor when searching for possible drug couriers.

"Two weeks ago the President of the United States went to Mexico about drugs," Williams told the newspaper.



Carl A. Williams
The cost of candor

"He didn't go to Ireland. He didn't go to England. Today, with this drug problem, the drug problem is cocaine or marijuana. It is mostly a member of a minority group that's involved with that."

Critics who have long called for the removal of Williams, including black state legislators, religious leaders and civil rights advocates, hailed Whitman's action as a step in the right direction.

William Buckman, a Mount Holly attorney whose case led to a 1996 finding by a Gloucester County judge that black drivers were stopped nearly five times as often as white drivers on the southern half of the New Jersey Turnpike, said only Whitman or the Justice Department can force the State Police to adopt the kind of changes necessary. "Race is a major component of New Jersey State Police thinking," he told The New York Times.

The dismissal of Williams came just weeks after the agency's own documents revealed that African Americans constituted nearly two-thirds of 109 arrests made during the first two months of 1997. While the State Police tried to put a positive spin on the statistics, pointing out that nearly all of the arrests ended in convictions, it did little to convince civil libertarians that the agency had not been targeting black motorists.

Allegation and Denial

The NJSP records, released after eight months of legal wrangling between state Attorney General Peter Verniero's office and attorneys for The Star-Ledger, found that the rate of arrests of black motorists during those two months was higher than the overall 1997 arrest rate in the state. African-Americans were arrested for 41

percent of all crimes, according to state figures.

The records released did not include information on traffic stops that did not result in arrest. An estimated 1 percent of 100,000 stops a year end in judicial proceedings.

Allegations of racial profiling have been as vigorously denied by the State Police over the years as they have been asserted by members of the black community. The issue moved to the front burner last year after a number of incidents, including the first-ever lawsuit brought by an active member of the force alleging that the agency is involved in the illegal practice, and the shooting of four unarmed minority men in their van by two white troopers on the turnpike on April 23.

On Feb. 10, the same day the arrest records were reported by The Star-Ledger, Verniero announced that his office would conduct a review to ensure that state troopers are not engaging in practices unfair to the minority community. The timing of the announcement was purely coincidental, said a spokesman for the Attorney General.

David Rocah, a staff attorney for the American Civil Liberties Union of New Jersey, told The Star-Ledger: "Nothing is going to change until the State Police face up to the fact there is a problem here and do something. It is easy to do something if the political will is there."

Taught by Experts

He pointed to Verniero's appeal of a 1996 decision by Judge Robert E. Francis of State Superior Court in Gloucester County as proof of his resistance to stopping the practice. In that case, Francis ruled that troopers patrolling a southern section of the turnpike must have engaged in profiling after lawyers showed that 35 percent of traffic stops involved blacks, although black represent just 13.5 percent of all drivers.

Two former troopers had testified that they had been trained and coached to make race-based profile stops through a Drug Interdiction Training Unit that was formed in 1987 to teach techniques for discovering drugs in vehicles. The unit was disbanded in 1992. "The utter failure of the State Police hierarchy to monitor and control a crackdown program like DITU or investigate the many claims of institutional discrimination manifests its indifference, if not acceptance," the judge concluded.

In addressing the recently released documents, however, Verniero said he had just started to review them and had not drawn any "hard legal conclusions" as to what they revealed about trooper behavior.

"Anytime you see a set of statistics that indicate any kind of disparity in numbers, you have to be concerned, you have to ask questions, you have to scrutinize them very carefully," he said.

State Police officials have chosen to interpret the statistics in a positive light. As agency spokesman John Hagerty pointed out, defendants in those cases were sentenced to more than 105 years in jail, and some 7.5 pounds of cocaine, 147 pounds of marijuana and 22 grams of heroin were confiscated. The agency has also taken steps to see that troopers act responsibly, including the installation of dashboard-mounted video cameras in all patrol cars.

"Certainly the superintendent does not condone racial profiling. Racial profiling is not part of any trooper's training," said Hagerty. "It is certainly not a philosophy in the New Jersey State Police. Racial profiling is just not something that occurs."

"Lights Across the Highway"

But some troopers insist that racial profiling was routinely used up until last April's shooting incident on the turnpike. A half-dozen troopers who agreed to be interviewed by The Philadelphia Inquirer as long as their identities were not revealed disclosed that racial profiling was routinely used as a way of boosting arrest figures. Minorities were stopped not because they were expected to be carrying drugs, they said, but rather because their claims of illegal searches would not be taken seriously. "The whole thing revolves around [arrest] statistics," said one trooper.

Aggressive methods taught by the DITU have been passed along to younger troopers, they said. In a maneuver called "lights across the highway," for example, the trooper parks the cruiser perpendicular to the flow of traffic, with the headlights on high beam. In the instant that the light floods the interior of a passing car, the occupant's complexion, features and clothing are easily identified. "It's a relatively quick decision-making process," a trooper said. "Oh, there's a good stop. He looks good!"

On Feb. 4 in U.S. District Court in Trenton, Trooper Emblez Longoria, who is of Puerto Rican heritage, claimed that during a 1997 tour of duty, he was required to "stop motorists clearly on the basis of race and/or perceived nationality, so as to interdict drug trafficking and boost his arrest statistics." Motorists of color were subjected to indignities and abuse and generally treated differently from Caucasian motorists, the suit alleges.

Encouragement from Above

Longoria charges that he was expected and encouraged by his supervisors to routinely violate the "constitutional rights of motorists/citizens of color." Longoria witnessed numerous profile stops and searches without probable cause, the suit says, and was warned he must produce numbers [of

arrests] not attainable without disregard for "the law and constitutions."

If he refused his orders, Longoria believes he would have been "labeled, harassed, not backed up, endangered and subject to other discipline and abuse," according to court papers. In October, the suit said, he was transferred to a detail at Fort Dix where on his first day he found a pacifier nailed to his mailbox and other derogatory and offensive statements taped there. "This was intended to warn [him] against complaining of his treatment or of the treatment of other minorities," it said.

The 58-year-old Williams came up through the ranks over a 35-year career. In recent months, calls for his ouster had been resisted by Whitman because the Superintendent had cooperated with several measures intended to improve race relations and deter racial profiling. Williams had also expanded recruitment efforts to bring more women and minorities onto the force, said Whitman.

In the interview with The Star-Ledger, Williams added that he believed certain crimes were linked with particular racial and ethnic groups. Methamphetamine, for example, was largely the province of white motorcycle gangs, and heroin and related types of drugs often involved Jamaicans, he said. Williams was also quoted as saying that organized crime was once dominated by Italians, but now tended to be run by Russians and Eastern Europeans.

Williams contended, however, that he had never known a police officer who profiles on the basis on skin color or ethnicity.

"Modern-Day McCarthyism"

One early pioneer of drug-courier profiling, who now shuns the term and its connotations, believes that Williams may have been a victim of a changing political climate.

"I think it's modern-day McCarthyism," Sheriff Robert L. Vogel Jr. of Volusia County, Fla., told Law Enforcement News. "What we see on the local level, often times the majority of people who purchase crack cocaine on our street corners are white, the majority of people who sell crack cocaine happen to be African Americans. We can't be blind to those statistics, it doesn't do us any good when we're try-

ing to do reverse stings and enforcement. But you have to be politically correct when you're talking about groups involved in drug activity."

Yet Vogel, a decorated former Florida Highway Patrol trooper, noted that drug involvement and consumption also reaches "way beyond race and ethnicity" to include all groups in "this melting pot of America."

Once a stop is made for a traffic violation, he said, police may then take into account cumulative similarities, or items that are true in the nature of drug smuggling. For example, often the individuals do not know each other's names, or who owns the car. The category of race, he said, "does not amount to a hill of beans" when police are looking at traffic stops.

"I think the race issue is played to the hilt by defense attorneys who use it as a gimmick to get their clients off if, in fact, they are of that grouping," Vogel said.

What is often missed in the whole picture, said Vogel, is that the black community is very opposed to drug use. Ninety-nine percent of those who call the Volusia sheriff's department, he said, are African Americans reporting drug dealing in their neighborhoods. The current era of political correctness is harmful to the country, he believes, when ethnicity and race are injected into situations where they are not applicable.

"I think it hurts us when we're trying to make a difference in our communities and our counties. If there is some basis for it, there is redress for that, but generally, it is sometimes misused" by attorneys and special interest groups.

Law Enforcement News

Founded 1975.

A publication of John Jay College of Criminal Justice,
City University of New York
Gerald W. Lynch, President

Marie Simonetti Rosen
Publisher

Peter C. Dodenhoff
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Law Enforcement News is © 1999 and published twice monthly (once monthly during July and August) by LEN Inc. and John Jay College of Criminal Justice, 555 West 57th Street, New York, NY 10019. Telephone: (212) 237-8442. Fax: (212) 237-8486. Subscription rates: \$22 per year (22 issues). Advertising rates available upon request.

Requests for permission to reprint any portion of Law Enforcement News in any form should be addressed to Marie Simonetti Rosen, Publisher ISSN 0364-1724. Law Enforcement News is available in microform from University Microfilms Inc., 300 North Zeeb Road, Dept. P.R., Ann Arbor, MI 48106.

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Equality State still lacks a hate-crime law

Despite gay student's murder, Wyoming lawmakers reject two anti-bias bills

Whether it was a backlash created by the heinous murder of a gay college student last year, fierce independence on the part of legislators, or a combination of factors, lawmakers in Wyoming — the Equality State — have failed for the fifth time since 1995 to pass the state's first hate-crime bill.

Wyoming is one of just 10 states, mainly in the South and Southwest, that does not have some kind of hate-crime state that would generally increase fines and jail terms for offenses motivated by hatred of a specific group. Of the states that do have such laws, 19 have included sexual orientation as a protected category. However, during this past winter, legislators in Montana, Utah, Idaho and Colorado defeated proposals that would have expanded existing hate-crime laws in to include gays and lesbians.

The defeat of two proposals in the Wyoming House and Senate in early February came just weeks after Attorney General Janet Reno urged Congress to pass legislation expanding the definition of hate crimes. An annual tally by the FBI released on Jan. 21 showed that in 1997, 14 percent of the 8,049 hate crimes reported to the bureau, or 1,102, were motivated by sexual orientation. Racial prejudice was found to be the motivation for more than half the hate crime committed in 1997, or 4,710.

The voluntary system established by the Hate Crimes Statistics Act of 1990 collects data from 11,211 law enforcement agencies, covering about 83 percent of the U.S. population.

"These statistics show what we have long believed is true," said Reno. "Hate crimes have long gone underreported."

The failure of Wyoming lawmakers to pass a hate-crime bill angered gay rights groups, which lobbied hard for the legislation in the wake of the killing last fall of Matthew Shepard, a gay student at the University of Wyoming who was brutally beaten, tied to a fence post and left to die. Two men have been charged with first-degree murder in the case.

The resistance to passing hate bills seems to stem from several sources, among them the belief that by protecting a specific category of individuals, special rights would then be conferred on them. Doug Thompson, creator of a Wyoming group called Citizens for Equal Protection, urged Cheyenne's

lawmakers to protect all citizens and "not just a few groups who claim victim status," he told The New York Times.

In the aftermath of the murder, some lawmakers contended that "outsiders" tried to force the issue of hate-crime legislation, creating a backlash among the state's independent lawmakers. The bill was opposed by Representative Mike Baker, a Republican from Thermopolis who said he feared that hate-crime laws would give special privileges to a "laundry list" of groups, thus undermining even-handed law enforcement. The entire state was outraged by the brutal killing of Shepard. "The people who did it

"I don't think in Wyoming law enforcement there is support for legislation that would provide additional protection to special classes of people."

— Jackson Hole, Wyo., Police Chief David G. Cameron, president of the state police chiefs and sheriffs association.

will be punished," he told USA Today.

There does not appear to be much support for such legislation within the Wyoming law enforcement community, but one leading police official said he was distressed by lawmakers' failure to pass the bill. Casper Police Chief Art DeWerk told Law Enforcement News that he is "on record for supporting a hate crime bill" — a position that he admitted was somewhat inconsistent with the broader line taken by police in Wyoming.

With just 23 sheriffs and 90 police chiefs in the state, it is fairly easy to tell which way the wind blows on the issue, said Jackson Hole Police Chief David G. Cameron, who is president of the Wyoming Sheriffs and Police Chiefs Association. By and large, he agreed, members of the organization contend that there are enough existing laws to make a hate-crime bill unnecessary.

"I don't think in Wyoming law enforcement there is support for legislation that would provide additional protection to special classes of people," Cameron told LEN.

Like DeWerk, Cameron supports hate-crime legislation, but

felt that lawmakers went too far in creating classes of individuals to be protected, included people covered by virtue of their employment. He would like to see the classes limited, he said, to those groups that have been the obvious targets of hate crimes, including gays and lesbians.

"Obviously we had one incident here, just an egregious case of a bias crime being perpetrated because of the victim's sexual orientation," said Cameron.

With a state population of less than 455,000 — the vast majority of it white — it is difficult to measure the potential for crimes motivated by hate, noted DeWerk. In Casper, for example, the number of blacks and Hispanics number less than 600 out of a population of 50,000. Even when sexual orientation and religion are factored in, he said, Casper is still a "pretty white community in a pretty white state."

If the city had a 10 percent black population, said DeWerk, it would perhaps indicate the propensity of residents toward committing hate crimes. But as it stands now, statistics show very low numbers of this sort of violation.

In the strictest legal sense, DeWerk concurred that there are enough laws to achieve the necessary level of enforcement without specific hate-crime legislation. But in practical and political terms, he said, he was "sorely disappointed" that Wyoming is only one of several states that does not have a hate-crimes law.

"There is a lot of room for argument about whether you should use the law to convey messages, and I happen to fall on the side that, yes, we should in this instance," he told LEN. "I want the rest of the country to see our state as being intolerant of hate crimes — period. I am really disappointed that none of these bills survived."

Cameron believes that hate-crime legislation does have a chance for passage over the next few years. There are those within the community, he said, who are unwilling to let the issue go by the boards, and who believe that Wyoming should not be in the minority of states without statutory language regarding bias crimes.

Furthermore, the lack of a harassment statute within state law — a glaring omission, he said — is likely to be remedied by its inclusion as a provision of a bias-crime statute.

Don't they beat all...

Domestic abusers take it out on pets, too

Law enforcement officers investigating alleged domestic abuse are being asked to take into consideration the condition of an unlikely member of the household — the family pet.

Domestic violence experts and researchers have found that abusers often use the torture of pets as a means of keeping children and spouses from fleeing. "Animals become another tool for the batterer to reinforce power," said Roberta Hacker of Women in Transition, a Philadelphia counseling and resource agency.

According to findings by a Utah State University psychology professor, Frank Ascione, more than 70 percent of 140 women surveyed at shelters across the state have had their animals threatened and more than 50 percent

had them hurt or killed. Nearly one-quarter of the victims initially put off seeking help out of fear for their pets' safety, he said.

In the landscape of terror that a domestic-abuse victim experiences, Ascione said, there is a special significance attached to the harming of an animal. "It's not like throwing a chair against the wall. We're talking about a victim that can experience pain and is often an object of attachment."

Jaye Perrett, a Marion County, Fla., sheriff's deputy who is the state's sole animal cruelty investigator, doesn't need academic research to tell her that. She has seen it first hand after 30 years of investigating such cases. "I have probably seen just about everything that brings those two [animal cruelty and

domestic abuse] together," Perrett told Law Enforcement News.

A Sheriff's Department program, now in its second year, works in conjunction with Marion County's domestic violence center and its humane society, placing the pets of domestic abuse victims in shelters until their owners are able to return home.

"If a woman goes to the spouse-abuse center, we will go with that woman back to her house to get her animals," said Perrett. "What we have found out — and the reason we started this program — is that one of the biggest reasons that women will not leave and go to a spouse abuse center is because they are afraid that the minute they walk out the door, their husband is going to kill their animal."

In one particularly grisly incident, Perrett cited the case of an Ocala, Fla., woman who moved in with a friend after being repeatedly abused by her husband. He found her and threatened to kill her dogs unless she came home. Later that day, Perrett said, the husband returned with the head of his wife's four-month-old puppy in his hat. He is awaiting trial.

"If a man is going to beat on his wife, you can bet almost 99.9 percent of the time, that he is going to abuse an animal," she said. "If you go to a spouse abuse center and say, 'Give me three reasons why you did not leave this abusive person,' one of the reasons will be 'I feared for what would happen to my animals.'"

A growing recognition of the role pets play in the cycle of domestic violence is influencing policy in other law enforcement agencies around the country. Police officers in Baltimore are now required to note the presence and condition of pets when filing a domestic-violence report. In Philadelphia, the Police Department plans to add a seminar on pets in family violence to a new training program for investigators.

Police officers were invited to participate in a one-day conference recently held on the topic by a consortium of social- and animal-welfare groups, including Physicians for Social Responsibility, said Police Officer Anna Rodriguez, who is assigned to the Philadelphia District Attorney's Office, where she works with battered women.

"When we are interviewing a complainant of domestic violence," she told LEN, "we generally do an intensive investigation and that interview includes — a good percentage of the time — her saying that he did something to a pet." The tactic is used to intimidate women and children, said Rodriguez. "I had a woman who told me that he [her domestic partner] threw her pet out the window."

Investigating the abuse of pets in domestic violence cases is not a new approach, she explained. The only difference is that now police have a heightened awareness of the issue and have forged the connections they need to pursue cases where animal abuse is involved. Police can now refer women

with animals to shelters where their pets will be cared for. "I had a woman several years ago with two dogs and she was fleeing," said Rodriguez. "Thank goodness I had a person who I could go to and he was able to provide service for her. Now we have that connection."

In January, the Pennsylvania SPCA in Juniata Park inaugurated its PetNet program, which provides foster care for animals for up to 30 days — the typical maximum stay at women's shelters. Juniata Park is the scene of a 1991 case in which a battered wife, Sandra Ruotolo, shot her husband after 13 years of abuse when he punched one of her four German shepherds. She killed him with a .38-caliber pistol as he slept.

Ruotolo, who is now serving 10 to 20 years for third-degree murder, had apparently contacted Women Against Abuse in Philadelphia, but declined to go into a shelter because it would not take her pets.

Still, a cautionary note has been sounded by Richard J. Gelles, a professor in the University of Pennsylvania School of Social Work. According to an organization he heads, the Center for the Study and Prevention of Intimate Violence, there are currently 1,900 shelters for battered women in the country, and 4,000 for animals.

"It's tough enough to keep the public interested in child abuse and domestic violence without distracting them by the abuse du jour," he told The Philadelphia Inquirer.

Coming up in LEN: RU ready for Y2K?

When computer systems go haywire next Jan. 1, it could mean more trouble than many police departments are bargaining for, from traffic lights and gas pumps that don't work to millennialist crazyoids preaching the beginning of the end.

Will your department be ready? Find out what some agencies are — and aren't — doing.

A gun-control effort even the NRA likes

As cities across the nation take aim at the gun industry in hopes of keeping firearms out of the hands of criminals, officials in Richmond, Va., are taking a different tack, teaching offenders this simple equation: Guns plus drugs equals five years in prison.

The formula is the backbone of a controversial yet thus far overwhelmingly successful program created by the local United States Attorney's office, in which firearms-related offenses committed by convicted felons or involving narcotics are prosecuted under tough Federal statutes. The initiative, known as Project Exile, has been coupled with a massive advertising campaign that includes 15 billboards, dozens of radio and television spots and a 40-foot-long bus that crisscrosses the city with the message: "An illegal gun gets you 5 years in a Federal Prison."

Operating under the simple principle of prosecuting as many gun violations as possible, Project Exile has been credited with cutting the city's homicide rate by 31 percent since its inception in March 1997. One year earlier, the city had the third-highest murder rate in the nation, according to FBI statistics. The murder rate has since fallen from 140 in 1997 to 98 last year — one of the steepest declines of any city.

In its first two years, Project Exile has led to the recovery of 475 illegal guns, indictments against 404 people on gun charges — a figure more than six times the national average — and an 86-percent conviction rate, noted S. David Schiller, an assistant United States Attorney. Under Federal law, penalties for gun violations are more severe, bail is less likely and parole is nonexistent. Prisoners are routinely sent out of state for confinement.

"The first thing I hear now when I talk to a client is, 'Can you keep this from going Exile?'" said David E. Boone, a local criminal defense attorney.

The program has energized the city's police force, said Jim Comey, the executive assistant United States Attorney there. The situation in Richmond was so dire two years ago, he told Law Enforcement News, that in many instances it was not worth officers' time

to make arrests for gun possession. The suspects would be out on bond before the paperwork was finished. Now, Comey said, there is competition among units to see which could make the highest number of Exile arrests.

Project Exile's numbers have caught the eye of a number of municipalities. Cities including Philadelphia and Rochester, N.Y., have already adopted similar programs of their own, with Baton Rouge; Birmingham, Ala., and San Francisco not far behind. The program has received high praise from both the U.S. Conference of Mayors and the National Rifle Association, the latter a group that has long advocated the strict enforcement of existing laws as an alternative to more gun controls.

Endorsement by the NRA appears to be a mixed blessing, however. While it cannot be confirmed as fact, Helen F. Fahey, the U.S. Attorney for the Eastern District of Virginia, told The New York Times she suspects that the NRA's involvement in Project Exile has contributed to a cooling of the Government's enthusiasm for the program.

Deputy Attorney General Eric Holder insisted that Justice Department officials "take issue with the notion that there is a cookie-cutter approach to reducing gun violence."

The NRA came on board as a supporter of Project Exile about a year after it was implemented in Richmond, Comey told LEN. Exile is one of the few programs supported by the NRA that is also backed by Handgun Control Inc. Proponents of the program, he said, were initially pleased with the support of the nonprofit groups, believing that it would help neutralize any political contentions surrounding Project Exile.

One of his office's goals, Comey said, was to be able to approach the city's business community and show that the program had non-partisan support. "We could say, 'Look at this, everybody's in favor of this — who could be against locking up bad guys with guns?'" he said. "It was great, because there have been a lot of polarizing gun debates in Virginia over the past five or 10 years, and we didn't want to be one of them."

In the past year, the NRA has contributed \$125,000 to Richmond's efforts for advertising and marketing, and has lobbied Congress to get the \$2.3 million needed for programs in Philadelphia and Camden, N.J. In ways Comey's office did not foresee, however, the group's involvement has become a political issue on a national, if not local, scale. The NRA, he said, has used Project Exile as a "lance" against the Department of Justice, and perhaps limited its growth in other localities.

"The NRA's endorsement has had only a good effect in Richmond, because it has helped draw support for the program from the business community and been very supportive of state efforts to tighten up state gun laws by increasing the penalties," said Comey. "But I think it has caused some problems with the expansion of Exile to other cities because of some of the political issues."

Comey surmised that Philadelphia Mayor Edward G. Rendell was put in the position of adopting a Project Exile program last summer after taking up the NRA's challenge to test aggressive law enforcement as a means of reducing gun violence in one major city. As a Democratic mayor, Comey said, Rendell might have hesitated to take a different course of action because of the NRA's involvement.

Just days after Philadelphia's Operation Ceasefire began, however, city officials were able to announce 15 indictments under Federal prosecutions.

And the objections have not only come from the Department of Justice. Some judges assigned to the U.S. District Court in Richmond have voiced strong objections to the program on the grounds that it constitutes a "Federal incursion" into areas that could be handled by state courts.

In a letter to Chief Justice William Rehnquist, Senior District Judge Richard L. Williams wrote: "More than 200 gun-possession cases totally lacking in Federal significance have been processed through our court. Not only does this do violence to concepts of federalism, the cost to national taxpayers is at least three times more than if the Commonwealth of Virginia handled these

cases."

Williams is currently considering arguments in a challenge to a Project Exile indictment that contends the program is a being used to avoid trying black defendants before mostly black Richmond juries, which are believed to be more sympathetic than Federal juries to black defendants.

"The judges hate Project Exile," said Comey. "They believe it tramples on the principles of federalism." While the United States Attorney's office

might agree with that contention in theory, the reality of the situation, he said, was that Richmond was in dire shape. "When you're standing in the middle of a sea of people being killed, you don't really have a lot of time to scratch your head and wonder about federalism."

For whatever reason, the state system was failing, said Comey. The United States Attorney's office, he said, believed it had a responsibility to plug that gap.

A crack in gun makers' "solid-wall" defense

Jury: Industry fosters illegal arms trade

Agreeing with an assertion by plaintiffs' lawyers that the nation's gun industry does little to keep its products from falling into criminal hands, a Federal jury in Brooklyn last month found 15 of 25 firearms makers named in a civil suit liable for negligence because their marketing practices foster illegal gun trafficking.

The Feb. 11 verdict is the first "wedge" in the firearms manufacturers' "solid-wall" defense, said one legal expert. "For the first time, a jury found widespread negligence against the industry," said David Yassky, a Brooklyn Law School professor, in an interview with Newsday. "It gives credibility to the negligent-sales argument which cities like Chicago have relied upon. It may mean they will have an easier time in bringing the cases."

The suit was brought by relatives of six people killed with illegally obtained handguns in New York City and Yonkers, and a Queens teen-ager who survived a seventh shooting with the bullet still lodged in his brain. Of the 15 manufacturers found negligent, the jury found nine liable in at least one of three of the shootings — two of them fatal.

Those nine manufacturers, which included American Arms, Areadia Machine & Tool, Beretta U.S.A., Bryco Arms, Colt's Manufacturing and Glock Inc., were found collectively liable, even though it was not proved what brand of gun was used. They were found by the jury to have marketed and oversupplied Southern states that have weak gun laws, which in turn led to illegal sales in states with stricter gun regulations, such as New York.

Six other manufacturers were found negligent, but not liable for any of the shootings. Those companies include: Calico Light Weapons Systems, Freedom Arms, International Armament (doing business as Interarms Industries), Jennings Firearms, K.B.I. Inc. and Sundance Industries.

Lawyers for the gun makers denied oversupplying Southern states, claiming there was a legitimate demand there where guns are used for sport and protection.

The jury found liability where it

was determined that companies' practices had been a "proximate cause" or substantial factor in the shootings, although it is not clear what elements the 11 jurors took into account when making this determination. In four other homicide cases that were part of the lawsuit, none of the 15 defendants found negligent overall were found to have had a proximate cause and were therefore not found liable in those deaths.

Only one surviving victim, Steven Fox, 19, was awarded any monetary damages. The jury found him entitled to \$3.95 million, but Fox will receive just \$500,000 due to the intricacies of the verdict.

"It was never about money," said Diane Zaretsky, the widow of a Long Island man who was shot during a 1994 robbery and whose murder was one of the three shooting incidents in which gun makers were found liable. "The whole thing is making them share responsibility and removing the cloak of secrecy that's been around this industry," she told Newsday. "It's also a beginning for future legislation and other cases. It's a landmark case and a precedent."

Both sides have affirmed the verdict as a victory. Said Elva Barnes, chief lawyer for the plaintiffs, "We held 15 of the 25 liable for negligence." The verdict, which required a 42-page form to deal with all the issues in the suit, took a half hour to read.

Lawyers for the gun manufacturers touted the fact that there was no finding of damages for six of the seven shootings involved in the suit. They said they will ask Judge Jack B. Weinstein to throw out the verdict based on the grounds that it was the result of improper compromises within the jury.

John Renzulli, an attorney for Glock and 11 other gun makers, said, "There's definitely no rhyme or reason to this jury's verdict. It makes no sense."

It is expected that the outcome of the case will be carefully assessed by other cities with similar litigation pending against the gun industry, including Chicago, New Orleans, Atlanta, Bridgeport, Conn., and Miami-Dade County, Fla. Chicago has filed a public-nuisance suit seeking \$453 million in damages.

Read all about it: Ad spells bad news for Topeka fugitives

It is axiomatic among some public relations professionals that even bad publicity is good. Just don't try telling that to the 24 fugitives who were picked up by authorities in the Topeka, Kan., area this month within two weeks after the city's local newspaper ran a full-page advertisement featuring 50 most wanted criminals.

Crime news — from police blotter items to sensational murder trials — has long been a staple of newspaper coverage. But of increasing benefit to police have been the local versions, in both print and on local cable stations, of television's "America's Most Wanted."

The Topeka Capital-Journal was approached by the Shawnee County Sheriff's Department and Crime Stoppers of Topeka Inc. with the concept. Maj. Ken Pierce of the Sheriff's Department said he got the idea from the Denver Metro Fugitive Task Force, which has been placing "most wanted" ads in two local papers, The Denver

Post and The Rocky Mountain News, for the past four years.

Denver police Det. Manny Alvarez said his department has placed one ad a year, but is preparing two for 1999, the additional one to feature suspects wanted on domestic violence charges and warrants. Between 50 percent and 60 percent of suspects listed in the ad are caught, said Det. Sgt. Bill Chew, who oversees the Denver ad effort.

The Topeka ad, which was created by the advertising and production department of The Capital-Journal, appeared free of charge on Jan. 24. It included photographs and descriptions of individuals wanted for crimes ranging from drug dealing to probation violations to assault and battery, using information compiled by the Sheriff's Department. As an added incentive to readers, Crime Stoppers offered rewards of up to \$1,000 per tip.

"This has been a great boon for us from our perspective," said Pierce.

"This is the first time we did it, and we have an agreement with The Capital-Journal that we intend to do it quarterly." The next time, the newspaper will include "teasers," he said, published a few weeks in advance so readers will know that "Shawnee County's Most Wanted II is coming."

Within the first day of the ad's appearance, police captured 16 of the 50 wanted individuals. In all, 24 have been apprehended. While The Capital-Journal's publisher, John Goosen, ran the ad as a community service this time, he hopes in the future to attract sponsors from Topeka's business community to underwrite the costs.

There is little chance of the newspaper running out of fugitives for upcoming ads. According to Pierce, there are 6,000 outstanding arrest warrants in the Topeka area. "These are the people that typically would not respond to a letter from the court asking that they turn themselves in," he said.

Quill, Yahner:

A partnership that works, for kids' sake

By Emmett H. Quill
and Joseph Yahner

"If you build a better mousetrap, the world will beat a path to your door."

— Ralph Waldo Emerson

As law enforcement prepares to confront the challenge of policing in the next century, it becomes even more important to look for ways to improve upon how we go about doing our business. Agencies making the transition to a philosophy of community-oriented policing are placing increased emphasis on forming partnerships to aid in solving substantive community problems. This includes the Phoenix Police Department, where we have taken a proactive approach to addressing one of society's most formidable problems. A partnership has been formed with Childhelp U.S.A. to create a facility and strategy to combat child abuse.

An agency that genuinely wishes to improve operations must be willing to take a hard look at what it is doing and what it should be doing. This "self-analysis" is often quite painful and, in reality, is not done all that frequently. Still, it is imperative if an agency is to be able to improve the way it does business. The commitment to improving operations also entails a willingness to be open to new ideas and to new sources for those ideas. In the past, this hasn't exactly been a hallmark of policing, often leading to needless reinvention of the wheel, but it will become ever more important as we take on some of society's more challenging problems. Quite clearly, if we have learned one thing over time it is that you cannot expect different results if you continue to do the same old thing.

The Childhelp Children's Center of Arizona is a clear improvement in the way child-abuse investigations are conducted, incorporating a victim-oriented approach that joins all of the different disciplines involved in these investigations, and doing it in a child-friendly setting that minimizes trauma to the victim. This new approach emphasizes the importance of victim safety, explains medical and social services, explains the law and the need to hold perpetrators accountable and, in a nutshell, does everything possible to develop a solid case.

An Underreported Problem

The extent of child victimization can only be estimated, as it is generally accepted that those cases that are reported represent just a part of the whole picture. Nonetheless, these reported cases reveal an alarming view of the extent of the problem nationally:

■ In 1997, according to the National Committee to Prevent Child Abuse, more than 3 million child-abuse reports were made. Every 10 seconds, a child is abused.

■ The Justice Department says child abuse kills more children in America than are killed by accidental falls and drowning, choking on food, fires in the home or suffocation.

■ More cases of child sexual abuse are never reported than are ever tried in court.

■ The overwhelmingly majority of sexual abuse is committed by men and by persons known to the child. Family members represent one-third to one-half of the perpetrators against girls and 10 percent to 20 percent of the perpetrators against boys.

In Arizona, a similar picture emerges. Arizona ranks fifth nationally in the rate of children with substantiated reports of abuse and neglect — a rate that is almost twice the national average. In Phoenix, there has been a 26-percent increase in reported crimes against children and a 7-percent decrease in clearance rates from 1993 to 1997.

(Comdr. Emmett H. Quill is head of the Phoenix Police Department's Family Investigations Bureau. Joseph Yahner is a lieutenant with that unit.)

Business As Usual

The PPD's Sex Crimes Unit is responsible for all crimes that are sexual in nature, involving both adult and child victims. The unit was located on the second floor of police headquarters in downtown Phoenix. As one would expect, police headquarters is an extremely busy facility, housing numerous bureaus and personnel representing a variety of police functions.

It was here that victims would routinely be interviewed. The child victim would be exposed to a busy, congested environment that some might well perceive as a bit overpowering, even unfriendly. The victims and their families were required to check-in at the lobby area on the first floor and then wait to meet the assigned case agent in a small waiting room on the second floor. Clearly, this environment was not conducive to placing the victim in a relaxed, comfortable setting, and would often expose them to victims of other crimes.

The investigation of a crime against a child has always been difficult. Ironically, it is one of the most reprehensible acts that can be committed (even hardened prison inmates disdain those who prey on the young), yet at the same time it can be vexingly difficult to prosecute. The case usually boils down to the ability of the investigator to obtain physical evidence and rely on the expertise of qualified physicians that conduct the medical examinations. The lack of witnesses, the inability of victims to relate the circumstances surrounding these incidents, or a reluctance to discuss such personal matters all contribute, whether singly or in combination, to these investigations being among the most difficult there are.

To make matters worse, these victims have been forced to endure numerous interviews conducted in emergency-room hallways, where they were forced to wait for hours for a physician to conduct the medical examination. Their families' social and medical needs were rarely addressed in any comprehensive manner, and they were often left on their own by a system too caught up in trying to prosecute these cases successfully.

The Power of an Idea

It is often a deep dissatisfaction with current ways of doing things that can lead to significant change. In some cases, it is the power of the suggested response to a problem that gets it done. When the concept of a multidisciplinary "one-stop shop" was first discussed, it was one of those instances where everyone wondered why someone hadn't thought of it before. It was an idea that everyone instantly recognized as having very real benefits for all parties involved.

The solution in this case lay in a partnership between the group Childhelp USA and the Phoenix Police Department, which led to the creation of the Childhelp Children's Center of Arizona. This integrated, multi-agency facility allows all aspects of handling crimes against children — including criminal investigations and interviews, medical examinations, counseling, foster placement of children and victim/family assistance programs — to be completed at a single location. The primary goals of the center are really quite simple: create a victim-friendly environment, reduce secondary trauma, and enhance investigative efficiency.

Childhelp USA is national nonprofit organization designed to assist in the prevention, treatment, and research of child-abuse. Childhelp USA operates a nationwide child-abuse hot line (1-800-4 A CHILD) and has established children advocacy centers in Knoxville, Tenn., and New York. Childhelp USA's financial support, expertise and ability to coordinate the involvement of community agencies were driving forces behind the creation of the Childhelp Children's Center of Arizona.

The 22,000-square-foot children's center



Part of a "one-stop shop" that is as child-friendly as it is effective and efficient for police and other service providers, the playroom of the Childhelp Children's Center of Arizona includes a TV/VCR housed in a life-like 14-foot tree.

(Photo: Ken Krehbiel)

houses personnel from Arizona Child Protective Services, St. Joseph's Hospital and Medical Center, the Children's Advocacy Center of Phoenix, the Maricopa County Attorney's Office, and 30 police employees. The space includes a 2,000-square-foot playroom, decorated by artists from Fox Animation, that is extremely child-friendly. Children utilize the play area while awaiting interviews, examinations or other steps in the process. The center is also equipped with five audio/video tape interview rooms for use by law enforcement, forensic interviewers and child protective service workers. It also contains two medical examination rooms for use by attending physicians, a large training room and adequate office space for the more than 50 professionals housed at the center.

The PPD Crimes Against Children Unit occupies approximately 6,800 square feet on the second floor of the center, a location that is ideal from a security perspective in terms of access to criminal history information and victim's rights. Twenty-four detectives, three sergeants, one lieutenant, secretary and police assistant who make up the Crimes Against Children Unit are responsible for investigative disposition on all crimes involving children that are sexual in nature. This includes child molestation, physical and sexual abuse and neglect situations.

Investigative Protocol

The Maricopa County Attorney's Office has established an investigative protocol that provides

guidelines to law enforcement, child protective services, medical and mental health professionals, and uniform reporting standards for school districts. The protocol is based on close coordination between all entities involved in the reporting and investigation of child physical and sexual abuse.

As a "one-stop shop," with all of the necessary players together in one location, the children's center enhances coordination and compliance with the investigative protocol. The interaction between the various agencies has been examined in order to create the most advantageous methodology for ensuring the safety and welfare of the child while balancing this need with the importance of successfully prosecuting the suspect.

A Win-Win Scenario

There are numerous advantages to processing
Continued on Page 10

Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.

Both sides claim vindication in Atlanta audit

Continued from Page 1

Brewer, Chief of the Programs Support Section of the FBI's Criminal Justice Information Services Division, "merely sending a letter to the victim and the letter being returned is not enough by itself to unfound a case. All classification and scoring of offenses in UCR are based upon a proper and thorough investigation being conducted."

Honest Misinterpretation

The missive is significant because of the claim by Harvard that the department had been using guidelines set forth in a 1977 letter by Paul Zolbe, then head of the FBI's UCR section, which state that an "offense may be unfounded if the investigation cannot establish the offense actually occurred." Zolbe noted that in cases where the victim supplies false information pertaining to identity and address, or does not cooperate, it should be counted but then may be unfounded.

In a response to Paul Heppner, deputy director of the GCIC, Harvard stated that the unfounded reports contested for 1995 and 1996 were the result of an "honest misinterpretation" of UCR guidelines. The department's practices, she said, were adjusted after receipt of Brewer's letter, citing as evidence a dramatic decrease in the number of contested cases identified by the audit.

For example, the number of unfounded rapes went from 161 in 1996 to 106 in 1997, with an error rate that year of zero. In 1996, the error rate for unfounded cases of rape was 34.8 percent. Unfounded robberies declined in 1997 from 885 the prior year to 248. The error rate in 1997 was just 6.8 percent, compared to the 1996 rate of 56.3 percent.

"The issue becomes less whether these reports should have been unfounded, but more whether these offenses were unfounded according to the UCR guidelines based on the interpretation of the Zolbe letter," she said.

While some observers wonder why the department had been following two-decade-old guidelines — especially when investigations in 1992 and again in 1994 indicated that the APD's particular practice of unfounding cases left it outside of full compliance with UCR guidelines — one long-time crime researcher opined that the guidelines have not really changed over the years.

Crime Reporting's Biggest Loophole

"They haven't changed since 1931," said Dr. Lawrence Sherman, chairman of the department of criminology and criminal justice at the University of Maryland. "I have been working with the most recent version of the crime classification manual and it is essentially following the same rules I have always understood them to follow."

But the interpretation of the guidelines for unfounding cases as outlined in Brewer's letter, Sherman told LEN, constitutes what he called "the biggest loophole in all of crime reporting." The lack of a clear specification for the classification in the FBI manual, he contended, leads to a diversity of practices.

Sherman went on to point out the difference in implications between unfounding cases and downgrading them. Unfounding, he said, does not

leave a paper trail and minimizes the number of crimes being reported — more so than downgrading does. By shrinking the denominator — the overall number of crimes — and keeping the numerator constant — the number of arrests — it inflates the department's clearance rate, even opening up the theoretical possibility of having a clearance rate of greater than 100 percent.

"All you need to say is 'victim failed to respond, therefore we unfounded,'" said Sherman. "With downgrading, you've got to actually make the effort to provide a reason why it wasn't the crime category it originally came in as — or fabricate the information you're getting and leave yourself vulnerable to the victim saying you were told something different."

The audit was called for after allegations of statistical manipulation by then-Deputy Chief Louis Arcangeli were made public in May 1998. In a series of memorandums dating back to the previous year, Arcangeli, who man-

are audited," it warned.

Two years later, however, allegations similar to those that prompted the earlier inspection were raised by a detective, Vickye Prattis. Now a sergeant, the 24-year veteran told The Journal-Constitution that the department tried to force her to get reports unfounded without contacting the victim. Harvard, who by then was acting chief, ordered an investigation to be conducted by the GBI. The investigation was later turned over to the Fulton County's District Attorney's Office, but no arrests were made based on the evidence gathered for the report.

Arcangeli, who took an \$8,000 pay cut when he was demoted last May to the rank of captain, claimed in his allegations that Harvard and Deputy Chiefs Bobby Rocker and Carter Jackson pressured officers and investigators to reclassify some violent crimes as lesser offenses, in addition to the improper unfounding of unsolved cases. Although a draft version of a report on

Atlanta."

The APD is just one of several high-city police agencies in recent years that have been called on the carpet for allegedly manipulating crime statistics. In Philadelphia, crime figures had to be withdrawn from the UCR for 1996, 1997 and at least the first half of 1998 due to underreporting and improper downgrading of offenses. Serious crimes throughout the city were being underreported by about 8 percent. [See LEN, Nov. 15, 1998.]

Every major city in the country, said Temple University's Greene, has had its UCR figures challenged, or has been on the FBI's designated problem list over the past 20 years. "It tells me there is something endemic in the whole system of counting crime that makes it very difficult," he said.

Paperwork and Perception

Greene believes that the practice

the investigation, or a victim's stated unwillingness to pursue the case," according to the audit. In the absence of a response by a victim to a post-incident letter, the case might be unfounded until the victim makes contact with the police department.

"The phrase 'Report unfounded until victim contacts the police department' appeared with some frequency in the incident reports," said the audit.

While the UCR guidelines do not address refusal to cooperate in an investigation, they do state that in the event a rape victim refuses to cooperate in the prosecution of a defendant, the case should not be unfounded. "Rather, it should be exceptionally cleared providing all criteria for an exceptional clearance are met." The administrative closing or clearing of a case by departmental policy, said the audit, does not permit exceptional clearance of an offense. It could be extrapolated, it said, that the department may not unfound a case based on these same guidelines.

When Is a Crime Not a Crime?

One of the problems, Greene said, is defining when a crime occurred. If left only to the definition of the victim, a different picture of the offense may emerge. "People inflict the police on one another to settle old arguments all the time," he said. "The dilemma is how do police figure out when a crime has really occurred."

With the crime of shoplifting, for example, there is a high rate of arrest and reporting because the shopowner usually holds the offender while waiting for police to show up. The victim is clear, the crime is clear, and there is an offender who is usually clear, Greene said. But when it comes to street-level robberies — especially if the victim is homeless — it becomes very difficult to ascertain how that person became the victim, or whether they produced information useful to police in solving the crime, Greene said.

"These things become very vague," he said. "There is this national tendency to seek crime reporting as this precise metric, and it really isn't. We try to make it precise after the fact."

The GBI/FBI audit recommended that the Atlanta investigators and those responsible for compiling crime stats be given refresher courses in the criteria for unfounding cases. "Consideration should be given to assessments of departmental trainers who instruct other employees in UCR report creation and handling," it said.

Furthermore, departmental procedures followed by officers in handling crime reports should be reviewed to ensure compliance with UCR guidelines. "Police Chief Harvard may wish to request applicable departmental policy and procedure review by FBI UCR staff," the audit suggested.

Sherman favors the creation of an internal audit unit, such as that created by Police Commissioner John Timoney in Philadelphia, the sole function of which is to estimate the level of accuracy in crime reporting. "Every major corporation in this country has a full-time internal audit unit — why shouldn't a police department? They have internal audits for their finances, but finances aren't nearly as important as crime."

Unlike downgrading an offense, "unfounding" leaves no paper trail and minimizes the number of crimes being reported, according to one expert.

aged the department's crime statistics division, raised his concerns to Chief Harvard. One such memo states: "My staff informs me that in the first 11 months of 1996 there have been 2,244 more crimes unfounded than in the same period of 1995." The result, the memorandum said, is a "43-percent increase in the number of crimes being removed from the crime total."

At the request of then-state Attorney General Mike Bowers, the Georgia Bureau of Investigation began its audit, examining four allegations: That reports originally classified by the APD as robberies were ordered reclassified as larcenies; that the department's volume of unfounded crimes was inflated for 1996; that the practice of unfounding crimes has resulted in the erasing of a large number of Part I crimes, and that these practices were the result of direction to employees by department leaders.

Seven Years, Three Reviews

The review is the third to be conducted in seven years. A 1992 staff inspection of the department found a prevalence of cases that were unfounded after investigations were closed prematurely. At that time Harvard was the deputy chief responsible for all "clear-up reports" that were entered into the computer system, and performing the final review before the results were forwarded to the FBI.

"It was determined that investigators routinely unfound reports when they cannot locate a victim," said the 1992 report. "The Uniform Crime Reporting handbook states, 'If the investigation shows that no offense occurred nor was attempted the reported offense can be unfounded.' Not being able to contact a victim is not within itself enough to unfound a report."

The study concluded that whether through a "willful act or an unconscious one," subordinates have been allowed to inflate clearance rates over the years. "A change must take place before we

Arcangeli's allegations is said to have been completed by the City Council's Public Safety Committee, it has not been released, nor its contents discussed.

[Atlanta Police Department officials declined requests for comment from Law Enforcement News, and similar calls requesting comment from Arcangeli's attorney were not returned as of press time.]

A Non-Punitive Demotion

The department has denied that Arcangeli's demotion was in any way retaliatory. "His reassignment and demotion had nothing to do with the audit that came about or his allegations to anybody regarding those numbers," Officer John Quigley, a spokesman for the APD, told The Journal-Constitution. "Sometimes you change the players in your lineup. And [Harvard] felt she had someone [else] that may offer more and was going to give that person an opportunity."

City Council president Rob Pitts directed the Public Safety Committee to hold public hearings on the crime-reporting issue — hearings at which both Arcangeli and Harvard testified. In a subsequent letter to Councilman C.T. Martin, who chaired the hearings, Arcangeli's lawyer wrote: "The findings of the GBI/FBI audit clearly demonstrate that crime was underreported in 1996 (498 robberies, 56 rapes). Most importantly, as a result of Arcangeli's protests and actions, the number of unfounded crimes which 'should not have been unfounded,' declined in 1997, to the lowest level in several years."

It is unfortunate, said the lawyer, William McKenney, that the number of crimes determined to have been underreported by the audit have been labeled as "insignificant." Only Savannah, with 897 robberies that year, even experienced as many as the APD underreported, he said. "All other Georgia cities experienced fewer robberies than were underreported (erased) in

comes about less as a conscious policy decision than as the result of a pair of equally disturbing factors — officers' desire to avoid paperwork, and cultural distinctions in urban areas that can sway perceptions of a crime's severity.

For example, he said, harassment incidents that occur in suburban, residential areas are considered serious assaults. In urban areas, however, there may be a different interpretation based on how the department views the community, among other issues. "I'm not saying it's the right interpretation, but it's different," said Greene.

Moreover, he observed, there is the political pressure that is brought to bear on police departments to keep crime reports as low as possible without disregarding them entirely. Both Philadelphia and Atlanta, Greene noted, are convention locations — the 1996 Olympics were held in Atlanta. "I was actually down there during the Olympics, watching the process unfold," he said. "It's very difficult, because you have such volume of people there."

With the majority of departments having a problem with crime reporting, said Greene, it remains to be seen whether Atlanta is better or worse, since each city is tested differently.

Two disturbing trends were uncovered by auditors in Atlanta. In incidents in which the victim was homeless, cases were unfounded because investigators could not locate the individual. In 1996, 48 of the 498 robbery cases that auditors said were improperly classified had victims who were homeless.

Rape cases, the audit said, were unfounded if the victim refused to cooperate — even if there were specific accounts of the crime in the incident report's narrative. Administrative closings or the placement of cases on "inactive status," the audit said, were not done because victims did not show up after several attempts by investigators to make contact.

"This lack of cooperation is defined as failure to return phone calls, a failure to return correspondence related to

Phoenix sees benefits in children's center

Continued from Page 8

cases at the center: for the victims, for their families and for the Police Department. Clearly, the level of service we are able to provide has improved dramatically. The importance of being able to provide the full range of services in one facility cannot be overstated. Consider, for example, just some of the benefits that accrue to victims and their families from the center:

- ¶ It creates a child-friendly atmosphere away from the environment of a busy police facility or hospital waiting room.

- ¶ Reduces the long periods (up to eight hours) spent in hospital reception areas waiting for an emergency room doctor. It also reduces feelings of embarrassment stemming from questions that come up in hospital waiting areas.

- ¶ Decreases the number of times a child must recount his or her statements to the many varied professionals who require information for purposes of their own agency's investigation. A videotaped interview of the young victim's disclosure done in the joint investigative setting greatly decreases the secondary trauma caused by multiple interviews.

- ¶ Decreases the transportation time

to various facilities to complete interviews and medical exams.

- ¶ Availability of on-site crisis counseling services to help victims and families through those first critical hours (after a report is made), with referral to community resources as necessary.

- ¶ Readily available consultation among disciplines involved in the investigation (law enforcement, child protective services, medical, prosecutors and victim services/counseling personnel) helps to produce quality service in an efficient time frame.

- ¶ Decreases the trauma to the child victim and the victim's family by the providing services in a single facility where all members of the investigative team, including the medical personnel are on site.

The benefits to the Phoenix Police Department are every bit as diverse:

- ¶ Decrease in overtime for investigators because medical exams will be done on site, including non-business hours. Medical exams at hospitals require approximately six hours for completion.

- ¶ Increased availability of an investigator because of reduced travel time and streamlined communication between agencies.

- ¶ Coordination of efforts and a thorough and efficient closure to the investigative process.

- ¶ The use of community-based policing precepts (a coordinated effort involving a multi-agency approach).

- ¶ A commitment to the community, which reflects a positive image to the public.

- ¶ Increased continuity in case preparation and presentation to the county attorney. The chronological sequencing of events in a shorter time frame assists in case filing and prosecution.

- ¶ Savings due to decreased investigative time for concluding cases, as coordination between agencies is done on site.

- ¶ A positive interaction between the victim and the criminal justice system, which increases victim participation and cooperation.

- ¶ The arrangement allows for more frequent use of "confirmation calls" to suspects, obtaining incriminating statements. The speed of the investigation increases the element of surprise.

- ¶ Interdisciplinary training opportunities that in turn increase the level of expertise.

- ¶ Medical aspects of the investigation are done one time by an expert

rather than several exams completed by emergency room physicians. This reduces interpretation conflicts between physicians and increases the likelihood of prosecution.

- ¶ Availability of experts from all agencies 24 hours, seven days a week.

- ¶ Increased availability of an on-site county attorney to assist in providing legal advice and direction during the investigation. This will reduce time spent responding to "furthers" (requests from the prosecuting authority for further information).

Looking Upstream

It is the power of new ideas that holds the promise of reducing crime, finding better ways to deal with crime problems and meeting the challenge of policing in the future. The Childhelp Children's Center of Arizona has only

been open since November 1998 and, granted, the evaluation of the program is ongoing. However, there is a definite advantage in terms of efficiency in having all of the various disciplines involved in these investigations together in one location. The service provided to our customers is enhanced tremendously, and it is anticipated that this coordinated approach to the investigation of crimes against children will result in stronger cases for prosecution.

Most of all, though, in terms of prevention and education, it is anticipated that this partnership will lead to further innovative and creative concepts that will assist in combating this heinous crime. The City of Phoenix has taken a giant step toward this goal. The Childhelp Children's Center of Arizona is an embodiment of our commitment to keeping children safe.

Part-time training is a mess in Ole Miss

Continued from Page 1

time officer for one year before being sent out on their own to answer calls, he explained.

Lowndes County uses its part-time deputies for traffic control at sporting events and communications, among other tasks.

Prescott's protests are lost on Ken Winter, director of the Mississippi Delta Law Enforcement Training Academy, who dismissed out of hand the assertion that volunteer officers could not afford to stay away from home for training, saying such a claim had "no validity." The condensed training hours, he said, will be designed so they can be taught at night and on weekends.

"If the truth be known," Winter told LEN, "I think one of the sheriffs got Representative [Willie] Perkins to offer this bill. The bill he's offering is just killing that piece of legislation passed last year — just taking everything out of it. It's just ridiculous."

By all accounts, the amendment was passed last year with little fanfare at the time. Traditionally, many of the state's small law enforcement agencies have demurred from sending recruits to training academies for basic instruction and certification, preferring instead to hire part-time officers who did not fall under the directives of the Board of Standards and Training. In effect, said Winter, they were circumventing the law. The attempt underway to repeal the recent law, he noted, will deny proponents the chance to even see it in practice.

"For the state of the Mississippi, I think it has a terrible impact for them to reverse something that we should have had years ago," said Biloxi Police Chief Tommy Moffett, president of the state's police chiefs association. "We need the training, the officers need it, and it is ludicrous to have been in a situation where people can be on the street, doing law enforcement work

without proper training — or in some cases — no training at all. We need standardized training for part-time and reserve police officers," he told LEN.

Winter and Moffett both charged that there are some communities in Mississippi that provide part-time and volunteer officers with no training whatsoever. Winter cited a survey he conducted in 1996 which found that, on average, even full-time officers across the state received only about three hours of in-service training a year. A bill requiring in-service training died in committee last year, he said.

"If you don't have anything mandatory," said Winter, "these departments are not going to do it. No matter what these sheriffs say, or even small town police chiefs, if the law does not require them to get these people certified they are not going to do it."

Another key sticking point for the sheriffs is the law's requirement that volunteers pass a fitness exam. Many of the part-time officers, Prescott said, are quite a bit older than the recruits in Mississippi's training academies and are admittedly not in peak physical condition.

Furthermore, Prescott contends, much of what is expected on such a fitness exam is not job related, an argument much like that used — with varying degrees of success — by female candidates shut out of police academies for similar reasons in other parts of the country.

"To some extent, you have to be in good physical shape," he said, "but you don't need to be a pro-football player. My thinking is simply that I would rather have somebody out there who would use his head to resolve a situation. We don't need to slam folks up against cars and manhandle them. That type of physical training you get at the academy I think is totally unnecessary for the volunteers."

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Law Enforcement News

(22899)

A publication of John Jay College of Criminal Justice/CUNY

Upcoming Events

MAY

1-2. Tactical Knife Instructor Course. Presented by CQC Service Group, Boston.

3. Raid Planning. Presented by the New England Institute of Law Enforcement Management, Fairfield, Conn. \$95.

3-4. Managing the Training Unit. Presented by the International Association of Chiefs of Police, Concord, Mass.

3-5. Crisis Negotiations. Presented by the International Association of Chiefs of Police, Aurora, Colo.

3-5. Police Law & Legal Issues: What Every Police Manager Needs to Know. Presented by the International Association of Chiefs of Police, White Bear Lake, Minn.

3-5. Determining Patrol Staffing, Deployment & Scheduling. Presented by the International Association of Chiefs of Police, Leavenworth, Kan.

3-5. Fraud Investigation Methods. Presented by the Investigation Training Institute, Boston.

3-7. Undercover Drug Enforcement Techniques. Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$550.

3-7. Computerized Collision Diagramming. Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$795.

3-7. Criminal Patrol Drug Enforcement. Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$525.

3-7. Physical Fitness Trainers' Course. Presented by the International Association of Chiefs of Police, Dallas.

3-7. Child Abuse Seminar: Intervention, Referral & Investigation. Presented by the Delinquency Control Institute, Palm Springs, Calif.

3-7. Police Executive Development. Presented by the Southwestern Law Enforcement Institute, Richardson, Texas. \$495.

3-7. Community Policing. Presented by the Criminal Justice Institute, College of Lake County, Grayslake, Ill.

3-14. At-Scene Traffic Accident/Homicide Investigation. Presented by the Institute of

Police Technology & Management, St. Augustine, Fla. \$695.

3-14. At-Scene Traffic Accident/Homicide Investigation. Presented by the Institute of Police Technology & Management, Miami, Fla. \$695.

3-14. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management, New Brantree, Mass. \$695.

3-28. Managing Police Traffic Services. Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$1,200.

4-7. Criminal Patrol Drug Enforcement. Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$395.

4-7. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, Seattle.

4-7. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, Provo, Utah.

4-7. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, Mesa, Ariz.

5. Connecting with your Community: Practical Techniques for Successful Community Policing. Presented by the New England Institute of Law Enforcement Management, Wellesley, Mass. \$95.

6-7. Body Language & Interviewing Techniques. Presented by Hutchinson Law Enforcement Training, Coventry, Conn. \$190.

6-7. Staffing & Scheduling for Communications/Dispatch Centers. Presented by the International Association of Chiefs of Police, Leavenworth, Kan.

6-7. Tracing Illegal Proceeds. Presented by the Investigation Training Institute, Boston.

8-9. Tactical Knife Instructor Course. Presented by CQC Service Group, Binghamton, N.Y.

9-12. Economic Crime Summit 99. Presented by the National White Collar Crime Center, Orlando, Fla. \$325.

10. Raid Planning. Presented by the New England Institute of Law Enforcement Management, Wellesley, Mass. \$95.

10-11. Reducing School Violence. Presented by the International Association of Chiefs of Police, Rochester, N.Y.

10-11. Value-Centered Leadership: A Workshop on Ethics, Values & Integrity. Presented by the International Association of Chiefs of Police, Maple Grove, Minn.

10-12. Critical Incident Management. Presented by the International Association of Chiefs of Police, Garland, Texas.

10-12. Administering a Small Law Enforcement Agency. Presented by the International Association of Chiefs of Police, Saipan, Mariana Islands.

10-13. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, San Antonio, Texas.

10-14. Advanced Latent Print Development & Blood Detection. Presented by the Institute of Police Technology & Management, St. Petersburg, Fla. \$525.

10-21. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management, Tempe, Ariz. \$695.

10-21. Traffic Accident Reconstruction. Presented by the Institute of Police Technology & Management, Jacksonville, Fla. \$695.

11-12. Criminal Intelligence Functions. Presented by Hutchinson Law Enforcement Training, Peabody, Mass. \$190.

11-12. Ethics in Law Enforcement: The First-Line Supervisors' Responsibilities. Presented by the New England Institute of Law Enforcement Management, Wellesley,

Mass. \$95.

11-14. Criminal Patrol Drug Enforcement. Presented by the Institute of Police Technology & Management, Louisville, Ky. \$395.

11-14. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, Atlanta.

11-14. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, Warwick, R.I.

12-13. Surveillance. Presented by the Criminal Justice Institute, College of Lake County, Grayslake, Ill.

13-14. Policing in the Information Age. Presented by the International Association of Chiefs of Police, Canal Fulton, Ohio.

15-16. Tactical Knife Instructor Course. Presented by CQC Service Group, Hartford, Conn.

17-18. Civil Remedies for Nuisance Abatement. Presented by the International Association of Chiefs of Police, Worcester, Mass.

17-18. Mentoring for the Retention of Women & Minority Public Safety Personnel. Presented by the International Association of Chiefs of Police, St. Charles, Mo.

17-18. Career Development. Presented by the International Association of Chiefs of Police, Keene, N.H.

17-20. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, Mt. Laurel, N.J.

17-21. Motorcycle Accident Investigation.

Presented by the Institute of Police Technology & Management, Bellevue, Wash. \$525.

17-21. 21st International Asian Organized Crime Conference. Hosted by the Ramsey County, Minn., Sheriff's Department, St. Paul, Minn. \$275.

17-21. Juvenile Justice Update. Presented by the Delinquency Control Institute, Los Angeles.

17-21. Crime Analysis. Presented by the Southwestern Law Enforcement Institute, Richardson, Texas. \$495.

17-21. Hate Crimes. Presented by the Criminal Justice Institute, College of Lake County, Grayslake, Ill.

17-28. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management, Tampa, Fla. \$695.

17-28. Advanced Traffic Accident Investigation. Presented by the Institute of Police Technology & Management, Lake Worth, Fla. \$695.

18-21. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, Bangor, Maine.

18-21. Nonviolent Crisis Intervention. Presented by the Crisis Prevention Institute, Halifax, Nova Scotia.

20-21. Tourism, Crime & Security. Presented by the International Association of Chiefs of Police, Detroit.

22-23. Tactical Knife Instructor. Presented by CQC Service Group, Concord, N.H.

For further information:

Addresses & phone/fax numbers for organizations listed in calendar of events.

CQC Service Group, Kingsbury Lane, Billerica, MA 01862. (617) 667-5591.

Criminal Justice Institute, College of Lake County, 19351 W. Washington St., Grayslake, IL 60030-1198. (847) 223-6601, ext. 2937. Fax: (847) 548-3384. E-mail: rubel@clc.cc.il.us.

Crisis Prevention Institute, 3315-K North 124th St., Brookfield, WI 53005. 1-800-558-8976. Fax: (414) 783-5906. E-mail: info@crisisprevention.com. Web: <www.crisisprevention.com>.

Delinquency Control Institute, P.O. Box 77902, Los Angeles, CA 90099-3334. (213) 743-2497. Fax: (213) 743-2313.

Hutchinson Law Enforcement Training, LLC, P.O. Box 822, Granby, CT 06035. (860) 653-0788. E-mail: dhutch@net.net. Web: <http://www.patriotweb.com/hlet>.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216. (904) 646-2722.

International Association of Chiefs of Police, P.O. Box 90976, Washington, DC 20090-0976. 1-800-THE IACP. Fax: (703)

836-4543. Web: <www.theiacp.org>.

Investigation Training Institute, P.O. Box 770579, Orlando, FL 32877-0579. (407) 816-7273. Fax: (407) 816-7232. Web: <www.investigationtraining.com>.

National Institute of Justice, National Law Enforcement & Corrections Technology Center, Attn.: Michelle Healy, (301) 641-6908, or Russ Hauck, (407) 381-8255. Web: <http://www.nleetc.org>.

National White Collar Crime Center, 11 Commerce Dr., Suite 200, Morgantown, WV 26505. 1-800-221-4424, ext. 45. Fax: (304) 291-2282. Web: <www.summit.nw3c.org>.

New England Institute of Law Enforcement Management, P.O. Box 57350, Babson Park, MA 02157-0350. (617) 237-4724. Web: <http://www.niac.net/users/gburke/nelem.html>.

Ramsey County Sheriff's Department, Attn.: IAOC, 14 W. Kellogg Blvd., St. Paul, MN 55102. 1-800-441-9387. E-mail: IAOC@co.ramsey.mn.us.

Southwestern Law Enforcement Institute, P.O. Box 830707, Richardson, TX 75083-0707. (972) 664-3471. Fax: (972) 699-7172. Web: <http://web2.airmail.net/slel.html>.

Family Leave Act comes with no guarantees, MSP paramedic learns

Continued from Page 1

first was of alleged sex discrimination and treatment of Knussman under state law. The second, said Sconion, went to a denial of leave or interference of rights under FMLA. "The jury verdict was returned on both those counts; it is unknown whether the jury believed that 90 percent was for count one and 10 percent for count two, or the whole 100 percent was for both of them. The verdict sheet didn't specify that."

Knussman, who works as a flight paramedic on a State Police MedEvac helicopter based in Centerville, claimed he was discouraged from taking leave by the agency's personnel division following the birth of his daughter in December 1994. After filing a grievance the following month, Knussman said he was told by a personnel officer that "God made women to have babies and because I couldn't breast-feed, there was no way I could be a primary care provider."

To be considered as such, the officer told Knussman his wife would have to either be dead or in a coma.

Stunned by the comments, Knussman filed a complaint with the officer's supervisor and with the agency's fair practices officer. "The next day, the officer contacted my wife's agency to determine whether she was claiming to be primary care provider," he told Law Enforcement News. "She was told that my wife was on documented sick leave and this same person just suppressed that information. My position is that if she had found out, she definitely would have said something since we couldn't both be primary care givers under this law."

Knussman said he was never provided with information that the fair practices officer supported his claim until the matter was revealed in the pre-

trial discovery process. "It was found in a pile of documents the state provided and said that it was a clear violation of the law intended to discourage me from taking the leave I was entitled to use," he said.

Before the birth of his second child, Knussman said he had applied for 12 weeks paid leave and was redesignated as primary care provider. With his wife eight months pregnant, however, the agency switched his work site with that of an officer who had less seniority. The new location was approximately three times the distance from Knussman's home, he said. After serving one day there, he was transferred back to his former post, but was told that his commanding officer had reserved the right to reinstate the transfer when he returned from leave.

The assistant attorney general, however, disputed Knussman's claim that the transfer was retaliatory. The issue of the transfer was fully litigated and found by the court to not constitute an adverse employment action. "It was not retaliation," Sconion told LEN.

She added that while on administrative duty as a trooper, Knussman is being prevented from returning to his job as a paramedic pending psychiatric evaluation because of statements he made concerning a suicidal depression.

Knussman testified that while suffering from this depression he had treated several patients in the MedEvac and was then unable to recall what treatment he had rendered. "That was the first information his employer, the Maryland State Police, had received of him having that sort of response to his depression," said Sconion. "That did raise questions and that question is still out there as to his fitness for duty as a paramedic."

Sconion also took issue with

Knussman's claim that he was told by the agency that men could not be primary caregivers. "The personnel officer he spoke to was someone who had been raised in her first few years by her father herself, so that was never said to him."

Based on regulations that came down to the agency's personnel division from the Maryland Department of Personnel, she said Knussman was told that birth mothers did not have to provide additional documentation showing they were primary caregivers because they routinely receive written documentation from their doctors about their need to be on sick leave for 30 days. Anyone else, however, including a birth father, an adoptive mother or adoptive father, would have to provide some information proving they were the primary caregiver.

The verdict, however, was a clear victory for Knussman, said Debra Jeon, an American Civil Liberties Union attorney in Maryland who tried the case. "I think it will discourage other employers and law enforcement agencies from attempting to discourage men from taking leave under FMLA," she told LEN. "There is a lot of non-enforcement of the law."

In the case of the MSP, Jeon said, notices were not posted and information was not offered at a time when an employee requested leave.

For example, she said that when Knussman first applied for leave, he was told that only unpaid leave was available under FMLA. That is not true, she said, as long as the employee has accrued enough paid leave to substitute for the FMLA leave. "I hope that all employers will learn from the mistakes of the Maryland State Police and see that it is important to comply with the law."

You call that a crimes- against-children unit?

(Yes, and a very effective one at that.)

From the aquarium-themed medical exam rooms (r.) to a farm-motif playroom and rooms for a variety of other service functions, a children's center in Phoenix shows how a "one-stop shop" for addressing child abuse can look — and succeed. Forum, Page 8.



Also in this issue:

How do you like your crime data: Rare? Well-cooked?

Atlanta police brass and a whistle-blowing ex-deputy chief both claim vindication after an audit shows misclassification of crime reports. Page 1.

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What They Are Saying:

"I think it's modern-day McCarthyism. . . . You have to be politically correct when you're talking about groups involved in drug activity."

— Volusia County, Fla., Sheriff Robert L. Vogel Jr., reacting to the dismissal of New Jersey State Police Supt. Carl A. Williams for asserting that a link exists between minority groups and drug trafficking. (Story, Page 1.)